

blc
b7c
[REDACTED]
Key Biscayne 49, Florida
February 14, 1961
[REDACTED]

Justice Hugo Black
Supreme Court Building
Washington, D. C.

618
Dear Sir:

I am an American citizen by birth, with a deep love of my country and countrymen. I believe in GOD. I salute the American flag with pride. I am not ashamed if tears come to my eyes when I hear the "Star Spangled Banner". I would never be afraid to sign a loyalty oath. I would never hide behind the 1st or 5th Amendments if I were asked if I were a communist. I hope these qualifications are enough to warrant an answer to this letter.

I am going on the assumption that our Constitution was written to protect the loyal American citizen, and not the Communist party or its affiliates. I have written to the Hon. Spessard Holland of Florida to ask him to propose a bill that would make being a Communist an act of treason, punishable by death, for we all know it is not a political party, but a direct plot to destroy the United States Government by deceit or violence if necessary. It seems that there are already laws to this effect, but not good enough to stick. The Hon. Francis Walter of the House Un-American Activities Committee, J. Edgar Hoover, and our Congressmen and Senators do not seem to have the know-how on the wording of these proposals, so as to have the Supreme Court convict known communists. The answer to this is so simple that I think we have all overlooked it. The Supreme Court justices should get their heads together and tell our legislators the wording they must use in these laws if our high court is expected to hand down a verdict of guilty to the members of the Communist Conspiracy. This method would remove all guesswork and wonder from our legislators, and enable them to know the exact wording required for a conviction. I am sure all loyal Americans, our congressmen, and our high courts are anxious to see laws passed that would not give aid and comfort to our mortal enemy, the communists. I would be honored to write my representative on your proposals as you render them.

Some of the recent decisions handed down by the Supreme Court, state that it is alright to plot and advocate the violent overthrow of the United States Government, as long as no action is taken. If this is what the Constitution means, couldn't a well-financed organization start a University of Murder, and recruit students on the basis that they would teach them the best methods on how to commit murder, as well as other violent crimes, and be within their constitutional rights just so long as they did not try to get their students a job? This even might work into Federal Aid and tax exemption. It seems to me that this could be done. If it can I hope it never leaks out, for I fear there are many people in this country who would take advantage of this also.

EX-117
REC-62-27585-17
Almost every day, I read in the paper of our officials in government warning our citizens to snap out of our apathy towards communism before it is too late. Then, lo and behold I read a little further, and see where our Supreme Court just released some more Communists on their so-called Constitutional rights. . . . and then read a little further to find that our leaders just go. MAR 1 1961

50 MAR 6 1961

File
No act.
Not a document
CORRECTION OFFICE

a few millions to Czechoslovakia so that they can build arms and ammunition to ship to Cuba so that Castro can threaten to blow our heads off. I think I can speak for most of the citizens of the United States when I say: "WE HAVE SNAPPED OUT OF OUR APATHY . . . ARE WE ALLOWED TO EXPECT THE SAME FROM OUR LEADERS?"

A very much concerned citizen,



b6, b7c

NJC/scr.

Encls. 2

cc: Hon. Dante Fascell
Hon. Spessard Holland
Hon. Francis Walter
John Edgar Hoover

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Ferris, Ill.
Mar. 5, 1961

Honorable Edgar J. Hoover
Washington, D.C.

Dear Sir -

Is it true that you have said 'thousands
of communists could be arrested in
one night in U.S.A. but our Supreme
Court would turn them loose'?

If so, why are most of them, if not all, in favor of
that for our nation?

I am genuinely worried for our future and would like
very much to have a short to the point article for
publication in our county, Hancock, paper and others
if they will print it.

Thank you.

Sincerely yours for a Free America

REC-22 62-27585-171
/S/ [REDACTED]
Ferris, Ill.

COPY:hbb

5 MAR 20 1961

EX-113

⑧

Mr. Tolson ✓
Mr. Parsons ✓
Mr. Mohr ✓
Mr. Belmont ✓
Mr. Callahan ✓
Mr. Conrad ✓
Mr. DeLoach ✓
Mr. Evans ✓
Mr. Malone ✓
Mr. Rosen ✓
Mr. Tavel ✓
Mr. Trotter ✓
Mr. Jones ✓
Mr. W. C. Sullivan ✓
Tele. Room ✓
Mr. Ingram ✓
Miss Holmes ✓
Miss Gandy ✓

ack 15
2-24-61
[REDACTED]
661 672

MAR 8 1961

Ferris, Ill.

Mar 5, 1961

Honorable Edgar J. Hoover,
Washington, D. C.
Dear Sir -

is it true that
you have said
"Thousands of Com-
munists could be
arrested in one
night in H. C. A.
but our supreme
Court would turn
them loose"?

If so, why are
most of them,
if not all, in
favor of that for
our nation?
ack 3-14-61 (JH:pin

gmw
REC-22 62-27585-171

EX-118

March 15, 1961

Ferris, Illinois

Dear [redacted]

Your letter of March 5, 1961, was received as Mr. Hoover was leaving the city. He wanted me to assure you that he never made the statement attributed to him in your letter. With regard to your desire for an article by Mr. Hoover, in view of the heavy pressure of his official responsibilities, it is not possible for him to comply with your request.

I am enclosing some material on communism which may be of interest to you.

Sincerely yours,

MAILED 25
MAR 15 1961
COMM-FBI

Helen W. Gandy
Secretary

- Enclosures (7)
- Director's speech of 10-18-60
 - God and Country or Communism?
 - Communism: The Bitter Enemy of Religion
 - Expose of Soviet Espionage
 - Communist Target--Youth
 - Series from Christianity Today
 - One Nation's Response to Communism

- Tolson _____
- Parsons _____
- Mohr _____
- Belmont _____
- Callahan _____
- Conrad _____
- DeLoach _____
- Evans _____
- Malone _____
- Rosen _____
- Tavel _____
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- W.C. Sullivan _____
- Tele. Room _____
- Ingram _____
- Gandy _____

NOTE: Bufiles contain no information identifiable with correspondent. In view of the nature of her inquiries, an in-absence response is deemed advisable.

56 MAR 16 1961

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Mr. Evans
Mr. Malone
Mr. Rosen
Mr. Tavel
Mr. Trotter
Mr. W.C. Sullivan
Tele. Room
Mr. Ingram
Miss Gandy

Mr. John Edgar Hoover
Federal Bureau of Investigation,
Washington, D.C.

Dear Sir,

I am an American who would never be afraid to take a loyalty oath, nor would I ever hide behind the First or Fifth Amendments.

As an American citizen, I am greatly concerned over recent decisions of the Supreme Court. I do not believe that we should be lenient with those who are advocating and plotting our overthrow as a nation, nor do I feel that Communists and fellow-travelers should be allowed to teach these things in schools, clubs, or any public place. Ideas are powerful, and to sow ideas on revolution and overthrow in young hearts across the nation, will result sooner or later, in a harvest of revolutionary actions.

May I suggest, that the Supreme Court be advised or requested to spell out the kind of law, and the precise wording that is necessary for them to hand down a verdict of conviction for those who wish to teach communistic revolutionary principles in our land.

Why should our highest tribunal in America be cowed by the loud voices of a minority who demand the right to teach our overthrow in the name of liberty. As a nation we have every right to protect ourselves, and the Supreme Court, above all, should stand ready to protect Americans, that American may continue as "the land of the free and the home of the brave."

Sincerely, and hopefully,

Teacher and housewife.

March 22, 1961

MAR 24 1961

30

REC-64 2 62-27585-172

MAR 24 1961

CORRESPONDENCE

62-27585-172

EX-112

March 22, 1961

Miami Bible Institute
900 Northwest 30th Street
Miami 37, Florida

b6
b7c

Dear [REDACTED]

Your letter postmarked March 23, 1961, was received during Mr. Hoover's absence from the office. You may be certain your communication will be called to his attention upon his return to Washington. Enclosed is some material on communism which you might like to read.

Sincerely yours,

MAILED 9
MAR 29 1961
COMM - FBI

Helen W. Gandy
Secretary

MAR 29 4 03 PM '61
FBI
READING ROOM

Enclosures (5)
One Nation's Response to Communism
The Communist Menace
Communist Target--Youth
What You Can Do To Fight Communism
Communism: The Bitter Enemy of Religion

NOTE: [REDACTED] is not identifiable in Bufiles, and we have no record on the Miami Bible Institute.

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Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
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Tavel _____
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55 APR 1 1961

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MAR 29 2 00 PM '61
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[Handwritten signature]

[Handwritten initials]

SUPREME COURT DECISIONS MENTIONED IN THIS VOLUME

<i>Year decided</i>	<i>Case</i>	<i>Popularly known as</i>	<i>Dealing with</i>	<i>Reference</i>	<i>Mentioned in text at page</i>
1896	Plessy v. Ferguson	Same	Separate but equal facilities	163 U.S. 537	40, 45, 51
1935	A.L.A. Schechter Corp. v. U.S.	Sick Chicken or NRA Case	NRA and gov't. control of industry	295 U.S. 495	13-14
1936	Carter v. Carter Coal Co.	Guffey Coal Act Case	Gov't. control of coal production	298 U.S. 238	14
1936	U.S. v. Butler	AAA Case	Gov't. control of agriculture	297 U.S. 1	14
1942	A. B. Kirschbaum v. Walling	Elevator Operator Case	Interstate commerce	316 U.S. 517	29
1943	Schneiderman v. U.S.	Schneiderman Case	Citizenship of alien communists	320 U.S. 118	30
1944	Korematsu v. U.S.	Relocation Case	Rights of Japanese-American citizens	323 U.S. 214	30-31
1945	Bridges v. Wixon	Harry Bridges Case	Deportation	326 U.S. 135	30
1952	Youngstown Sheet & Tube v. Sawyer	Steel Case	Presidential seizure of steel mills	343 U.S. 579	33-34
1953	Bridges v. U.S.	Harry Bridges Case	Naturalization	346 U.S. 209	30
1954	Brown v. Board of Education	Segregation Case	Schools and segregation	347 U.S. 483	39-42
1954	Phillips Petroleum v. Wisconsin	Natural Gas Case	Control of resources	347 U.S. 672	63
1955	Peters v. Hobby	Peters Case	Loyalty	349 U.S. 331	57
1956	Pennsylvania v. Nelson	Sedition Case	State sedition laws	350 U.S. 497	57-62
1956	Cole v. Young	Cole Case	Gov't. security risks	351 U.S. 536	19
1956	Ry. Employees Dept. v. Hanson	Nebraska Labor Case	Labor unions	351 U.S. 225	20, 64
1956	Slochower v. Bd. of Higher Ed.	Stochower Case	Teachers	350 U.S. 551	7, 49, 58-59, 61
1957	Gold v. U.S.	Ben Gold Case	Noncommunist oaths	352 U.S. 985	6, 60
1957	Jencks v. U.S.	Jencks Case	FBI files	353 U.S. 657	52
1957	Konigsberg v. State Bar	Konigsberg Case	Practice of law	353 U.S. 252	8, 60-61
1957	Lambert v. Calif.	Calif. Felon Case	Knowledge of law	353 U.S. 979	61
1957	Mallory v. U.S.	Mallory Case	Police apprehension of criminal suspects	352 U.S. 877	67
1957	Penna. v. Board of Directors of City Trusts	Girard College Case	Wills and schools	353 U.S. 230, 989	64-65
1957	Sentner v. Barton	Sentner Case	Deportation of communists	353 U.S. 963	61
1957	Service v. Dulles	Service Case	Gov't. employees	354 U.S. 363	59-60
1957	Sweezy v. New Hampshire	Sweezy Case	Teachers	354 U.S. 234	61-62
1957	U.S. v. E. I. duPont de Nemours Co.	duPont Case	Clayton Act & "monopoly"	353 U.S. 586	64
1957	Watkins v. U.S.	Watkins Case	Congressional investigations	354 U.S. 178	9, 17, 20, 61
1957	Yates v. U.S.	California Communists Case	Smith Act & overthrow of gov't.	354 U.S. 298	62, 68, 74



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McCarthy:	<i>America's Retreat from Victory</i>	1.00

Package price of any of the above, alone or in combination, 12 for \$10.00

Regular Size, Monograph Numbers

Epstein:	The Bang-Jensen Tragedy	50¢
Oliver:	Introduction To Contemporary History of Latin America	50¢
Staff:	One Hundred Steps To The Truth	50¢
Welch:	May God Forgive Us	50¢

Quantity prices: 12-99, 40¢ each; 100-999, 35¢ each; 1000 or more, 30¢ each

Article Reprints

Title	1-99	100-999	1000 or over
<i>Through All The Days To Be</i>	3 for \$1.00	25¢	20¢
<i>A Letter To Khrushchev</i>	3 for \$1.00	25¢	20¢
<i>Why People Become Communists</i>	20¢	15¢	12¢
<i>A Fable From The (Hardly) Past</i>	5¢	4½¢	4¢
<i>A Republic vs. A Democracy</i>	5¢	4¢	3¢
<i>A Letter To The South, On Segregation</i>	10¢	8¢	7¢
<i>This Is Where I Came In, Manion</i>	5¢	4½¢	4¢
<i>The Federal Reserve System, Sennholz</i>	5¢	4½¢	4¢
<i>The World Health Organization, Matthews</i>	10¢	8¢	7¢
<i>Report of Special Committee of Am. Bar Ass'n.</i>	20¢	15¢	12¢

All prices include prepayment of postage. Order from
AMERICAN OPINION, Belmont 78, Massachusetts

REC-12

62-27585-182

April 19, 1962

EXTD

Richmond, Virginia

Dear [REDACTED]

The publication you forwarded has been received in Mr. Hoover's absence from the city. I know he would want me to write and thank you for making this available to him, and you may be sure it will be brought to his attention upon his return.

Sincerely yours,

Helen W. Gandy
Secretary

MAILED 5
APR 19 1962
COMM-FE

NOTE: The publication entitled "Nine Men Against America" was received at the Bureau without cover letter. This reprint is an attack on the Supreme Court and is written by Rosalie M. Gordon, who has been affiliated with John T. Flynn of America First Committee. It is noted that branches of this organization were the subjects of Internal Security-G investigations during World War II. The publication has been brought to our attention in the past.

The current Directory of Post Offices does not reflect a city named South Richmond or a branch office in Richmond by this name; therefore, the letter is being sent to Richmond, Virginia. In view of the above, an in-absence acknowledgment is deemed appropriate.

- Tolson _____
- Belmont _____
- Mohr _____
- Callahan _____
- Conrad _____
- Loach _____
- Wans _____
- Malone _____
- Olson _____
- Sullivan _____
- avel _____
- rotter _____
- Tele. Room _____
- Nease _____
- Gandy _____

b6
b7C
305

MAIL ROOM TELETYPE UNIT

REC'D READING ROOM

APR 19 12 13 PM '62

REC-12

UNITED STATES () NT

Memorandum

TO : Mr. Mohr

DATE: 4/30/62

FROM : Mr. Malone *[Signature]*SUBJECT: U. S. SUPREME COURT GUARDS
FIREARMS TRAINING
QUANTICO, VIRGINIA

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

By memorandum Mr. Brennan to Mr. Sullivan dated January 26, 1962, it was recommended and approved for the U. S. Supreme Court Guards to receive firearms and defensive tactics training at Quantico, Virginia.

SAC Sloan advises classes of U. S. Supreme Court Guards convened at Quantico on January 31, March 14, April 2, 9 and 27, 1962, and during the training 9,700 rounds of .38 caliber ammunition were expended. The price of this ammunition is \$56.95 per thousand.

Training was previously afforded U. S. Supreme Court Guards in 1957 and in 1959, and the U. S. Supreme Court paid for the ammunition expended by transfer of funds. 5

RECOMMENDATION:

That this memorandum be forwarded to the Administrative Division in order that a 1080 voucher may be prepared for the transfer of funds to cover the cost of ammunition used by the U. S. Supreme Court Guards (9,700 rounds at \$56.95 per thousand - \$552.41).

1 - Brennan (Liaison Section)

(4)

*from GRC**b6, b7C**44-111-11-25**64*

53 MAY 9 1962

[Handwritten initials and marks]
8
REC-15
19-137
sent 5/1/62

62-21585-18

11 MAY 8 1962

*EX-107**31*

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 5/4/62

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 7061-7063. Senator Javits, (R) New York, spoke concerning the speech made on the floor of the Senate by Senator Eastland, (D) Mississippi, criticizing the Supreme Court for their decisions involving communism and subversion. Mr. Javits stated "The Supreme Court is one of the noblest of bodies. It is a fundamental part of our governmental system. Attempts are being made to discredit it. It is not healthy to attempt to tear it down, as was attempted yesterday. I think the Supreme Court is doing very well, whether I agree with one of its decisions or not. It seems proper to defend it, and I shall do so on the floor of the Senate." Senator Kuchel, (R) California, commended Senator Javits for his defense of the Supreme Court. Mr. Kuchel stated "I have no doubt that there are in our population a few people who are guilty of treason; and, as has been said on this floor time after time in the past, the American Government is discharging its obligation with respect to our country in this regard. I salute once again J. Edgar Hoover and the Federal Bureau of Investigation, who at this moment know precisely who are those treasonable Americans, where they are, and what they are doing. It is a dreadful disservice to the cause of America and to the cause of security of our country for anyone to attempt to undermine our people's faith in any of our national governmental institutions."

162-27585-
NOT RECORDED
191 MAY 16 1962

In the original of a memorandum captioned and dated as above, the Congressional Record for 5/3/62 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

67 MAY 16 1962 305

Original filed in: 162-1731-1

UNITED STATES GOV

Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : MR. MOHR

DATE: May 16, 1962

FROM : MR. J. F. MALONE

SUBJECT: [REDACTED] b6 b7C

On 5/15/62 at approximately 5:00 PM, [REDACTED] called and stated that he was in the office of Deputy Attorney General Nicholas deB. Katzenbach. He stated that he had been trying all afternoon unsuccessfully to see the Director. He was apprehensive lest some reason might exist that the Director did not want to see him. I asked him if he had been in touch with Miss Gandy. He stated that he had and Miss Gandy advised him the Director was out of the office. I told [REDACTED] that I had just returned after being away from the office all day, but I was sure that if Miss Gandy told him the Director was out of the office, that he actually was out of the office.

[REDACTED] stated that he was going to stop around to my office when he finished talking with Mr. Katzenbach. When [REDACTED] arrived at the office I told him that I checked with Miss Gandy to see whether or not the Director had returned and was advised that he was still out of the office. I advised [REDACTED] that the Director is frequently called out of the office unexpectedly.

[REDACTED] stated that he understood Associate Justice Frankfurter of the Supreme Court had another stroke and it is very unlikely that he will ever return to his position as a member of the Supreme Court. [REDACTED] stated that he was in Washington to discuss any vacancy that might exist, should Frankfurter retire from the Bench, with Mr. Katzenbach and Joseph F. Dolan, Assistant Deputy Attorney General. [REDACTED] stated that he has at least a 50-50 chance of being appointed to any vacancy that might occur. He indicated that [REDACTED]

[REDACTED] went to the office of Mr. DeLoach and then I drove him to the airport to catch a 7:00 PM plane back to New York.

RECOMMENDATION:

None informative.

JUN 11 1962 1 - Mr. DeLoach

NOT RECORDED

145 MAY 18 1962

62-27585-12 MAY 18 1962

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. Rosen

DATE: 6/14/62

FROM : G. H. Scatterday

SUBJECT: SUPREME COURT NAME CHECK REQUEST

On June 11, 1962, a name check request was received from [REDACTED] Marshal, United States Supreme Court, on [REDACTED] born [REDACTED]. The Form 57 submitted indicated that this individual is applying for a position as "custodial, laborer."

A check of Bufiles reveals no identifiable derogatory information concerning [REDACTED]

Memorandum from Mr. Nichols to Mr. Tolson dated 9/3/57 reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [REDACTED] be stamped, "No derogatory data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

- 1 - Mr. Rosen
1 - Name Check Section
1 - [REDACTED]

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

REC-38

EX-107

JUN 19 1962

57 JUN 26 1962

original form 57 returned to [REDACTED] 6/19/62
6-19-62
file

TRUE COPY

b6
b7c
June 27-1962

Long Beach
L. I.

Mr. J. E. Hoover.

Dear Sir,

Writing in reference to prayer in school. So many people seem to think those Judges are not American in there way of thinking all Justices (?) one year (?) did not vote They have handed down some pretty funny decisions of late. Dont you think they should be checked? I think it about time the American people started to clean them out. Sen Mc. Carthy was right. Those bullheads did not believe him. Krus Chef made a statement he did not have to worry about America. Since when does 5 families speak for all America? The people are raving mad about it. Those Judges represent all America not 5 families Since when did any prayer hurt any child? Please investigate Thank You

Sincerely

/s/ [REDACTED]

b6, b7c TRUE COPY OF ENCLOSURE

[REDACTED]
Long Beach
L. I.

Communication was postmarked June 27, 1962, at Long Beach, New York.

EX-115

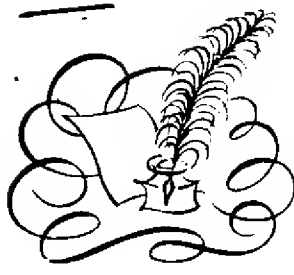
REC-31

62-37-185
JUL 3 1962

66.67C

June 27-1962

[Redacted]



Long Beach

M. G. C. Hoover

Dear Sir

Writing in reference
 to your letter
 to me regarding people
 seeing the statue
 those judges are
 not interested in
 the way of think-
 ing at this time or
 they do not want
 they have decided
 to give some pretty
 funny descriptions of
 the statue
 think they should

CORRESPONDENCE

ML
DL/lat
6-29-62

to
JCH
6-28-62

blat
DTC

King George
L. D.

1-7c
6-28-62

June 29, 1962

EX-115

REC-31

62-27585-185

b61

b7C

Long Beach, New York

Dear [REDACTED]

Your letter of June 27, 1962, and enclosure have been received in Mr. Hoover's absence from Washington. I know he would want me to thank you for your interest in writing him, and please be assured your communication will be brought to his attention when he returns.

Sincerely yours,

Helen W. Gandy
Secretary

MAILED 6
JUN 29 1962
COMM-FBI

NOTE: Neither correspondent nor her husband is identifiable in Bufiles. An in-absence reply is being forwarded in view of her remarks regarding the Supreme Court.

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holloman _____
Gandy _____

[REDACTED] b7C 166

53 532 BH

RECEIVED DIRECTOR

JUL 11 1962

MAIL ROOM TELETYPE UNIT

JUN 29 1962

REC'D WASH. FIELD

READING ROOM
FBI

66,
b7c

SALES AND SERVICE
SPECIALIZING IN REBUILDING GRAND PIANOS EXPERIENCE IN THREE FACTORIES

DALLAS 5, TEXAS

July 16, 1962.

Mr. J. Edgar Hoover
Federal Bureau Of Investigation
Washington, D. C.

Dear Mr. Hoover:

I for one appreciate your efforts in law enforcement. It seems that every time you report, crime has increased. It is time the tide of crime should go the other way.

In my opinion, Court procedure and criminal laws should be reformed. To begin with the Supreme Court, some years ago an English statesman said our Supreme Court was an unnecessary luxury and should be abolished. He may have been right. I do not think the President should be allowed to appoint those Judges, as most of them are appointed for political reasons. The American Bar Association knows who among them are qualified. Let them select three for consideration, then a Senate Committee should investigate them and recommend one one for the appointment. The same procedure could be employed for all Federal Judges. The Supreme Court often renders a 5-4 decision, which is proof that about half of them do not understand the Constitution.

On the matter of State Courts, Lawyers have had too much to say in framing the criminal laws. It is too easy to get a new trial, reversal or appeal. Everytime this is done, one or more lawyers have their hands out. At the same time, it means more expense to the State. For instance consider the Chessman case in California.

EX-116 REC-62 62-27585-
I think all Courts should be equal. The State Bar could select a dozen qualified men among them to review Court procedure and it should not be generally known who they are, to avoid any attempt toward bribery. When a criminal is tried in State Court, a transcript of the proceedings should be made and a copy sent to three of these men for review, and if two of them say the criminal had a fair trial, no appeal should be granted.

Juries should not be able to name the penalty for a criminal, but only to say if he is guilty, perhaps sometimes with extenuating circumstances, then let the Judge say what the penalty should be.

Juries are sometimes too "chicken hearted" and do not like to apply the death penalty. Since the criminals are gaining on us, the death penalty should be applied ten times more than it is.

Pardon the length of this, I just wanted to have my say.

Very truly yours

CORRESPONDENT

EX-116

REC-62

62-27585-186

July 20, 1962

[REDACTED]
Dallas 5, Texas

Dear [REDACTED]

Your letter dated July 16th has been received in Mr. Hoover's absence from Washington. Please be assured your communication will be brought to his attention upon his return.

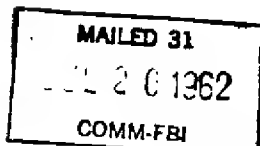
REC'D-READING ROOM
FBI

JUL 20 4 04 PM '62

Enclosed is material I hope you find of interest.

Sincerely yours,

Helen W. Gandy
Secretary



Enclosures (5)
LEB Introductions:
8-1-59
6-1-60
6-1-61
4-1-62
5-1-62

NOTE: Neither correspondent nor his company is identifiable in Bufiles. An in-absence reply is being forwarded in view of his attack upon the Supreme Court and other Federal and state magistrates.

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____

(3)

b6
b7C

PH

J
C.3.F

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE:

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Memorandum to the Director
Re: The Congressional Record

SENATE - continued

Adjournment: Until Thursday, August 16, 1962, at 10 a. m.

APPENDIX

Pages A6238-A6239. Senator Thurmond, (D) South Carolina, extended his remarks to include two broadcasts over station W OKE, Charleston, South Carolina, by Mr. Harry C. Weaver, owner and general manager of this station. Mr. Weaver comments on U. S. payments to the United Nations, State Department foreign policy and the racial situation in Albany, Georgia. Mr. Weaver stated "How can we Americans expect good to prevail, as long as we permit our leaders to reward the evil doers? Internationally, as well as here at home, the forces of evil continue to win. The Director of the FBI, Mr. J. Edgar Hoover, in his August 'Bulletin to Law Enforcement Officials,' refers to the 'Massive avalanche of crime sweeping our country.' And, we say, 'Why not'. The U. S. Supreme Court has made the job harder for the law and easier for the criminal in a series of decisions during the past 8 years that have rocked the FBI and the law right back on their heels."

62 - 27575 -
NOT RECORDED
199 AUG 31 1962

In the original of a memorandum captioned and dated as above, the Congressional Record for _____ was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

57 SEP 11 1962

UNITED STATES GOVERNMENT

Memorandum

ST
esa

TO : The Director

DATE: September 24, 1962

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 19129-19142. Congressman Williams, (D) Mississippi, spoke concerning judicial tyranny and recent decisions of the Supreme Court. Mr. Williams included a soliloquy on the U. S. Supreme Court written by Mr. Clarence O. Amorette of Berkeley, California. This material contained references to the FBI in connection with the Jencks case. Mr. Williams also included an article entitled "U. S. Supreme Court: American Counterpart of Soviet Politburo" written by Honorable Lucas D. Phillips, a member of the house of delegates of the Virginia General Assembly.

162-27585-
NOT RECORDED
176 OCT 8 1962

Original filed in:

1797

In the original of a memorandum captioned and dated as above, the Congressional Record for September 21, 1962 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 10/15/62

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 22071-22073. Senator Javits, (R) New York, spoke in defense of the Supreme Court as a result of an attack on the Court by Senator Eastland, (D) Mississippi, on May 2, 1962. Mr. Javits stated "After charging that the Supreme Court has 'infringed, invaded, and usurped the powers vested by the Constitution' in the executive and legislative branches of the Government, Senator Eastland presented charts that allegedly demonstrated that all members

of the Court have, for many years, been delivering pro-Communist votes that 'threaten fundamentally the basic security of our country from the onslaught of the Communist conspiracy from without and within.' Senator Javits included with his remarks a memorandum on the subject of "Senator Eastland's Attack on the U. S. Supreme Court--An Analysis and Response" prepared by Associate Professor Norman Dorsen of the New York University School of Law. Professor Dorsen, in referring to the case of Gold v. United States, which involved income tax fraud, pointed out that "One of the issues was whether Gold had been deprived of a fair trial because 'an FBI agent, investigating another case in which falsity of a non-Communist affidavit was also charged,' had asked 3 members of the jury whether they had received propaganda literature, and also because other members of the jury had heard of the FBI contacts."

WASH. DC.

Original filed in: 16-1731-

REC-30

ST-116

62-27565-187
NOT RECORDED
191 OCT 23 1962

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-1-10/10 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES C

Memorandum

TO : Mr. A. Rosen

DATE: January 2, 1963

FROM : Mr. G. H. Scatterday

SUBJECT: [REDACTED] SUPREME COURT NAME CHECK REQUEST

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

On December 28, 1962, a name check request was received from [REDACTED], Marshal, U. S. Supreme Court, on [REDACTED] born [REDACTED]. The Form 57 submitted indicates that this individual is applying for a position as "Police Private (Supreme Court)."

A check of Bureau files reveals no identifiable derogatory information concerning [REDACTED]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [REDACTED] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

- 1 - Mr. Rosen
- 1 - Name Check
- 1 - [REDACTED]

162-27585-
NOT RECORDED
176 JAN 8 1963

11 JAN 8 1963

JAN 8 1963

ORIGINAL FILED IN 62-5-14190

b6
b7C

TRUE COPY

[REDACTED]
Santa Barbara, California

January 27, 1963

J. Edgar Hoover
U S. Department of Justice
Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Hoover,

How we wish that all men in charge of our government would avoid political favoritism. How we hope that the Supreme Court will soon stop usurping the powers of the State.

We appreciate your love for our Constitution, and for true American liberty.

May God bless you always. We feel so happy to quote your words in the Family Weekly of Jan. 27, 1963, of Santa Barbara." I feel today, as on May 10, 1924, the challenge to be a servant of my fellowman and my God.

Let us hope that Christianity may triumph all over our United States.

Your sincere friends,

b6
b7C

[REDACTED]

ack
2/5/63
1 to b6, b7C
4/1/63
[initials]

62-27515-11

FEB 6 1963

911-X

REC-28

[initials]

[REDACTED]
Santa Barbara, California

b6, b7C

January 27, 1963

J. Edgar Hoover
U.S. Department of Justice
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover,

How we wish that all men in charge of our government would avoid political favoritism. How we hope that the Supreme Court will soon stop usurping the powers of the State.

We appreciate your love for our Constitution, and for true American liberty.

May God bless you always. We feel so happy to quote your words in the Family Weekly of Jan. 27, 1963, of Santa Barbara. "I feel today, as on May 10, 1924, the challenge to be a servant to my fellowman and my God."

Let us hope that Christianity may triumph all over our United States.

Your sincere friends,
[REDACTED]

b6, b7C

140
CORRESPONDENCE
1

February 5, 1963

62-27585-188
EX 116
REC-28
[REDACTED]
Santa Barbara, California

Dear Mrs. Turner:

I have received the letter from you and [REDACTED] dated January 27th, and I want to thank you for writing as you did. Your kind comments concerning my administration of the FBI's activities are indeed a source of much encouragement to me.

Sincerely yours,

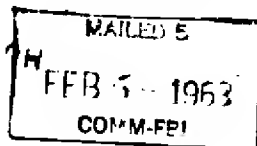
J. Edgar Hoover

NOTE: [REDACTED] has sent two similar letters to the Director both during August, 1962. Both letters were cordially acknowledged and she has been sent reprint material on communism. (94-5-50421 and 62-26225-8-1466).

Tele. Room _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

54 FEB 11 1963

MAIL ROOM ☐ TELETYPE UNIT ☐



FEB 2 3 45 PM '63

REC'D

REC'D-READING ROOM
FBI

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gale

DATE: March 4, 1963

FROM : H. L. Edwards

SUBJECT: THE SUPREME COURT ADVISORY COMMITTEE
ON CRIMINAL RULES - PROPOSED AMENDMENTS
TO THE FEDERAL RULES OF CRIMINAL PROCEDURE

CRIMINAL LAW SECTION
AMERICAN BAR ASSOCIATION

Chairman of the Criminal Law Section, Evelle J. Younger, by letter dated February 20, 1963, a copy of which went to all officers and members of the Criminal Law Section Council, has appointed a 7-man committee to form a liaison with the U. S. Supreme Court Advisory Committee on Criminal Rules. This committee will study preliminary draft of proposed amendments to the Federal rules on criminal procedure and report on them at the next council meeting in Chicago which will be held during the annual American Bar Association meeting, August, 1963. The committee consists of Charles A. Bellows, Chairman; General Charles L. Decker, Judge Advocate General of the Army; General Kenneth J. Hodson of General Decker's Staff; Arthur Freund of St. Louis; Judge Laurance M. Hyde, Jefferson City, Missouri; Rufus King of Washington, D. C.; and Edward Silver, District Attorney of Brooklyn, New York.

These proposed amendments were the subject of a memorandum from the Training Division dated 2/28/63 and are being studied by the Legal Research Desk of that Division which will alert me to any of the proposed amendments in which the Bureau has an interest so that I will be able to follow these matters closely with the liaison committee set up by Chairman Younger.

ACTION:

Information.

- 1 - Training Division (Attention: [REDACTED])
1 - Mr. DeLoach

HLE:ejw
(4)

MAR 7 1963

122-27585
NOT RECORDED
199 MAR 7 1963

MAR 5 1963

TWO

62 MAR 14 1963

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. Rosen

DATE: March 20, 1963

FROM : Mr. G. H. Scatterday *CH*SUBJECT: *b7c* *b6* *DATE*

SUPREME COURT NAME CHECK REQUEST

Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

On March 14, 1963 a name check request was received from [REDACTED] Marshal, U. S. Supreme Court, on [REDACTED] born [REDACTED]

The Form 57 submitted indicates that this individual is applying for a position as "Secretary-Receptionist."

A check of Bureau files reveals no identifiable derogatory information concerning [REDACTED]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [REDACTED] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

- b6*
b7c
- 1 - Mr. Rosen
 - 1 - Name Check
 - 1 - [REDACTED]

Form stamped & returned to Supreme Court
EX-112
REC-35
27505-189
 11 MAR 22 1963
 CHECK

56 MAR 28 1963

62-27585-190
CHANGED TO
62-113873-X

JAN 11 1971

mt/RF

UNITED STATES

Memorandum

TO : Mr. W. C. Sullivan

DATE: April 19, 1963

FROM : Mr. F. J. Baumgardner

- Mr. Belmont

- Mr. Sullivan

- Mr. [illegible]

CONFIDENTIAL

INTERNAL SECURITY

Classified by

Declassify on:

ACTION:

For information. In view of the sensitive nature of the source and the nature of the discussion, no dissemination is contemplated.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/10/94 BY [illegible]

NOT RECORDED

190 APR 26 1963
e APR 25 1963

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

106
54 MAY 2 1963

XEROX
APR 26 1963

CC ROBERT [illegible]

CONFIDENTIAL

ORIGINAL FILED IN

TRUE COPY

Toledo Oregon
[REDACTED]

June 2, 1963

Mr. J. Edgar Hoover

Dear Sir.

I have Never Written you Before. I am an average Working Man living in a Small town in Western Oregon.

I have wrote many letters to the Representative and Senator from my State in Regards to the freedom given the Communist By the U.S. Supreme Court. I also had the F.B.I. from the Portland Office visit My home, after I Wrote them a letter about Gus Hall Speaking at Our College at Monmouth Oregon.

I was told By the F.B.I. official there was Nothing they could do as long as the Laws of Our Country are like they are to day.

I am wondering if there is any way to Curb the Supreme Court.

I am a member of a Protestant Church, Nazarene. I have never Been a member of any group other than my Church.

I think it High time Some one could Stop some of the Supreme Court doings.

It seems so many of Our Nation do not Believe in Sound Doctrine any more. Which the Bible is the foundation for all Sound doctrine.

Sincerely,

REC- 51

62-275-857
JUN 10 1963

8-91

Toledo Oregon

661
E.C.

June 2, 1963

Mr. J. Edgar Hoover

Dear Sir,

I have never written you before.

I am an average Working Man living in a small town in Western Oregon.

I have wrote many letters to the Representative and Senator from my State in regards to the freedom given the Communist By the U.S. Supreme Court.

I also had the F.B.I. from the Portland office visit my home, after I wrote them a letter about Gus Hall speaking at our college at Seaside Oregon.

I was told By the F.B.I. official there was nothing they could do as long as the laws of our country are like they are to day.

I am wondering if there is any way to curb the Supreme Court.

I am a member of a Protestant Church, Nazarene. I have never been a member of any group other than my Church.

I think it High time some one could stop some of the Supreme Court doings.

It seems so many of our Nation do not believe in sound doctrine any more. Which the Bible is the foundation for all sound doctrine.

Sincerely,

ssOffice.org

RECEIVED
JUN 11 1963

EX-116

REC-51

June 7, 1963

62-27585-191

Toledo, Oregon

Dear [REDACTED]

Your letter of June 2nd was received in Mr. Hoover's absence from the city. I know he would want me to thank you for giving him the benefit of your observations relative to the menace communists pose to our freedoms.

Enclosed is some literature you may find to be of interest.

Sincerely yours,

Helen W. Gandy
Secretary



Enclosures (4)
Time of Testing
Deadly Duel
An American's Challenge 10-9-62
The Current Communist Threat
1 - Portland - Enclosure

ATTENTION SAC: Bufiles contain no record identifiable with correspondent
NOTE: It is noted correspondent has written to the Portland Office relative to Gus Hall's speaking at Monmouth, Oregon.

Tele. Room _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

JUN 7 10 27 AM '63
REC'D-READING ROOM
FBI

JUN 18 1963

REC'D HVTG ROOM

pcm/gum

eft

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 7/16/63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court

Page 11861. Senator Ervin, (D) North Carolina, submitted an editorial from the Charlotte (North Carolina) Observer of July 8, 1963, entitled "Attorney General Unwisely Predicts Action of Court." Mr. Ervin pointed out that the writer of this editorial "asserts with accuracy that the Attorney General's prediction that the Supreme Court, as now constituted, would overrule the civil rights cases of 1853, lends support to those persons who have been asserting for 9 years that the nine men in black have junked legal precedent in favor of sociological amendments to the Constitution."

162-275852

NOT RECORDED

128 JUL 23 1963

In the original of a memorandum captioned and dated as above, the Congressional Record for 7/15/63 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

Original filed in: 162-1731-

Cullman, Alabama
October 2, 1963

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

The Honorable John Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C.

Sir:

I appeal to you in behalf of the welfare of our Country! Someone forget political strings and stand up courageously and do what is really best for this Country. From your past record of concern for our youth and of forty years of service to our America, I believe your courage is without equal and that you could lead us out of this morass of rotten politics and help us to respect our leaders again.

My husband and I voted for Mr. Kennedy, but apparently our confidence was misplaced. We feel that it would do no good to appeal to a man who allows Dr. Martin Luther King, Jr. (whose soft-spoken ways reek of hypocrisy) and Mr. Krushchev's tactics) and other Negro leaders such as Rustin (with a criminal record and Communistic intents) to disrupt all law and order in this Country, but accuses a patriotic and fearless American, our Governor of Alabama, the Honorable George Wallace, of bringing death and chaos to our State because he rebels against a law that we feel to be against the best interests of both races involved.

I am an average American citizen, white, female, forty-eight years of age and the mother of one thirteen year old son. I care enough about the youth of today, both white and Negro, to want we adults to rectify a mistake that we allowed to take place by our apathy. If we adults are in a state of confusion because we can't respect the "Law of our Land" anymore because it is obviously being misused, what kind of a future are we offering our children? Neither white nor black children can feel safe in their schools or churches, anymore, just because we have allowed our Supreme Court to reverse a decision that we knew was not to the good of our Country.

Don't you think it a remarkable fact, Mr. Hoover, that the two subjects which have always disturbed Americans nationwide, and caused the most dissension among us, namely, our civil liberties and religious freedom, have been publicized and had reverse decisions rendered on them by the Supreme Court in recent years? Even though both decisions can be rationalized, there are millions of thinking Americans who are aware that this is exactly the manner in which Communists spread their insidious disease. Doesn't it appear to you that they have achieved their goal by creating more turmoil within our Country than there has been since the Civil War?

OCT 4 1 00 PM '63 OCT 4 1 00 PM '63 REC-53

62-27585-192

OCT 7 1963

EX-116

NAU
9-10-63
10/5/63
10/17/63

8-27-63
98

Please, Mr. Hoover, HELP!! Since the undercurrent feeling throughout this land prevails that subversive elements have influenced our Supreme Court and that the "bulldozing" methods being employed by our leaders to force our acceptance of their questionable decisions only create resentment and disharmony, something constructive must be done to restore our faith in our leaders! Don't you think that if the American people be shown that the integrity of our nine Supreme Court Justices is beyond reproach that we could more willingly accept laws on which we cannot vote? What better way than by Television? After all, the lives of our Presidents, the members of their Cabinets, our Senators and Congressmen and other public officials are open books to us. Why should the nine men whose decisions have torn this Country asunder remain shrouded in mystery? Why should they remain aloof and be treated with more respect than our Presidents? After all, they are only human beings, not gods. We Americans are not of the stock to blindly follow our leaders, and I, for one, have ceased to be a "hero worshipper". When world famous and respected ministers of the Gospel allude to our Supreme Court disparagingly, isn't it time to know these nine men better? If our Justices possess the fine characters which should be synonymous with men in such trusted positions, they should want to do their Country a great service by being thoroughly investigated by your Department and by letting all the facts and themselves be publicized on Television.

I appeal to you not because I wish to discredit anyone, but because we Americans who have always loved our Country and trusted our leaders are tired of having our feelings discredited. Genuine respect has to be a two-way affair.

Television is getting ready for another "Political Show" in the '64 elections, and we will be barraged with facts and rumors about the two candidates chosen, but if the man who is elected has to run this Country according to the edicts of the Supreme Court, what difference does it make whether we even vote, or not? It seems to me, and I'm sure, to millions of other Americans concerned about the plight of our Country, that our Supreme Court should be chosen by the people instead of being appointed, but since this change hasn't been made, please use your influence to help us know our Supreme Court Justices so that this Nation can again know where it is being lead.

Respectfully submitted,

b6i
b7c
[Redacted]
Cullman, Alabama

[Redacted]
[Redacted]
BORN Approx 1915

October 8, 1963

REC-53

62-27585-192

b4
b7C

B. APPROX 1915

EX-116

Cullman, Alabama

Dear

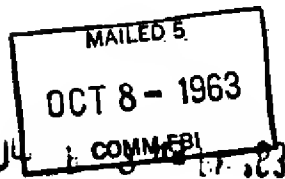
OCT 8 1 49 PM '63
REC'D-READING ROOM
FBI

Mr. Hoover received your letter of October 2nd and asked me to thank you for your kind remarks about his administration of the FBI and for your bringing your views to his attention.

He also requested me to explain that the activities of this Bureau are controlled by Presidential directives and legislative enactments. The procedure you suggest does not fall within the purview of this Bureau under existing regulations. Therefore, Mr. Hoover trusts you will understand why he is not in a position to be of help in this regard.

Sincerely yours,

Helen W. Gandy
Secretary



Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

1 - Birmingham - Enclosure
REC'D HWIF ROOM
SEE NOTE ON NEXT PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐

b6,
b7C

[REDACTED]

NOTE: Correspondent is not identifiable in Bufiles. She appeals to the Director for help in straightening out this country which is now being "ruled" by the decisions of the Supreme Court rather than by duly elected officials. She wants the FBI to investigate the members of the Supreme Court and make the data available to the public.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. Rosen *from*

DATE: March 17, 1964

FROM : Mr. G. H. Scatterday *CHS*SUBJECT: [REDACTED] *b6, b7C*

NAME CHECK REQUESTS FROM SUPREME COURT

Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

On March 13, 1964, name check requests were received from [REDACTED] Marshal, U. S. Supreme Court, on [REDACTED] born [REDACTED], and [REDACTED] born [REDACTED]. The Form 57 submitted indicates that [REDACTED] is applying for "labor work." No position is shown for [REDACTED].

A check of Bureau files reveals no identifiable derogatory information concerning [REDACTED] or [REDACTED]. *b6, b7C*

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Forms 57 on [REDACTED] and [REDACTED] be stamped "no derogatory data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling. *W*

REC-6

MAR 20 1964

EX-103

MAR 25 1964

TRUE COPY

Dear Mr. Hoover:

Can you possibly clear up a few things regarding the U. S. Supreme Court:

1. They are against prayer and Bible reading in schools-
2. It seems their fight Against pornography is very poor, if they allowed the legality of such a filth as 'Tropic of Cancer'—
3. And now I read where they decided the members of the Communists party is not obliged to register —

I don't quite understand their actions — If 1 + 1 still adds up to 2 It looks as tho our supreme Court Consists of Communists —
Is this true??

Would you please write and let me know— I am quite concerned as are a few other of my friends.

If there is someone else we can write to — please inform me

Thanks so much

/s/

[REDACTED]
Hawthorne, Calif.

Copy sent to Supreme Court

1 Tc 6-12-64

ack 6-16-64

[REDACTED]
b6, b7C

EX-114

REC-121

JUN 17 1964

POSTMARKED 6/9/64
envelope destroyed.
JH. JV

62-21585-194

4/8N

Dear Mr. Hooper,

Can you possibly clear
up a few things regarding
the U. S. Supreme Court:

1. They are against prayer
and Bible reading in schools.
2. It seems their fight
against pornography is
very poor, if they
allowed the legality of
such a filth as "Thropic
of Cancer" -

3. And now I read where
they decided the members
of the Communist party
is not obliged to
register -

I don't quite understand
their actions - If

1 + 1 still adds up to 2
(over) H16

ack 6-7-54
9# dec

It looks as tho our
Supreme Court consists
of Communists - Is
this true??

Would you please write
and let me know -
I am quite concerned
as are a few other of
my friends.

If there is someone
else we can write to -
Please inform me

Thanks so
much

[REDACTED]

[REDACTED]

Hawthorne,
Calif.

Copy
sent to
Supreme Court

JUN 12 1964

b6 b7C

ad 6-16-64
9# dec

REC- 121

62-27585-194

June 16, 1964

EX-114

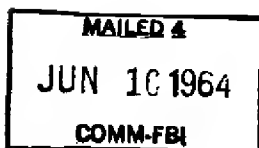
JUN 16 3 23 PM '64
REC'D-READING ROOM
FBI

b6, b7C
[REDACTED]
Hawthorne, California

Dear [REDACTED]

Your letter of June 9th has been received and Mr. Hoover asked me to tell you that, as a matter of policy, he has not answered inquiries requesting his opinion of other governmental organizations. He trusts you will understand his position.

Sincerely yours,



✓ Helen W. Gandy
✓ Secretary

NOTE: Correspondent cannot be identified in Bufiles.

[REDACTED] (3)

Relm b6, b7C

Tolson	_____
Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Tele. Room	_____
Holmes	_____

767
JUN 24 1964

EHE
per wst
JUN 18 3 23 PM '64
RECEIVED DIRECTOR

20
67

[REDACTED]
Redondo Beach, Calif. 90278
July 2, 1964.

b6, b7c

Hon. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Hoover:

Is it appropriate or possible for you to supply us with copies of the Decisions of the Supreme Court during the last few years, bearing, primarily on their decisions favorable to Atheism, Communism and those restricting the activities of our law enforcement officers. Including also integration and the reapportionment of the Representatives and Senators from the various states.

We are endeavoring to compile a record, which we believe are, in some cases, illegal and not in conformity with the Constitution. In other words, making laws, not interpreting those already enacted by Congress or authorized by the Constitution.

If unable to supply, can you advise us where and how to obtain.

Thanking you in advance for your consideration,

Respectfully and fraternally,

b6, b7c

[REDACTED]
20.

E

REC-713

62-27585-195

JUL 10 1964

CORRESPONDENCE

RA

62-27585-195

July 9, 1964

REC'D-READING ROOM
FBI
JUL 9 10 42 AM '64

[Redacted Address]

Redondo Beach, California 90278

b6
b7C

Dear [Redacted]

Your letter of July 2nd has been received.

Although I would like to be of assistance, the FBI does not have material of the type you requested available for distribution. For decisions of the Supreme Court, it is suggested you write to the Superintendent of Documents, Government Printing Office, Washington, D. C. 20402.

Enclosed is some literature I hope you will find of interest.

MAILED 8
JUL 9 - 1964
COMM-FBI

Sincerely yours,

J. Edgar Hoover

[Handwritten signature]
ph

- Enclosures (4)
- Faith in Freedom
- Keys to Freedom
- Counterintelligence Activities
- What Young People Should Know About Communism

Lead

NOTE: Bufiles contain no record identifiable with correspondent. ~~It has been determined that the Government Printing Office has copies of the Supreme Court decisions available for distribution; however, in view of correspondent's statements in paragraph two, a copy of his letter is not being referred to GPO.~~

- Tolson _____
- Belmont _____
- Mohr _____
- Casper _____
- Callahan _____
- Conrad _____
- DeLoach _____
- Evans _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

[Redacted] (3)

b6
b7C

64 JUL 21 1964

TELETYPE UNIT ☐

[Handwritten signature]

[Handwritten signature]

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Conrad *JWC*

FROM : [REDACTED]

SUBJECT: Protest Letters to
United States Supreme Court

DATE: 7/27/64

*b6
b7c*

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

1 - Mr. Conrad

1 - [REDACTED]

1 - [REDACTED]

Re memorandum 7/15/64 from D. J. Brennan, Jr.,
to Mr. Sullivan.

Supreme Court

Rambling, incoherent anonymous letters mentioned
in referenced memorandum were furnished to the Laboratory
for search in the Anonymous Letter File. The search was
made with negative results. Copies were not added to this
file. No watermarks, indented writing or other indication
as to the sources of the letters was found.

The letters are attached. No photographs were
made in the Laboratory.

RECOMMENDATION: That this memorandum and enclosures be
forwarded to the Correspondence and Tours
Section and Liaison Unit for their
information.

*Sullivan
Liaison*

Enclosures

- 1 - Mr. Belmont
 - 1 - Mr. Sullivan
 - 1 - Mr. DeLoach
 - 1 - Mr. Rosen
- b6
b7c*

2 ENCLOSURE

ENCLOSURE ATTACHED

EX-112

REC-60

62-27585-196

AUG 5 1964

The United States

Supreme Court

Washington

RECEIVED
JUN 25 1964
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

Challanooga, Tenn

1964 JUN 25 AM 10:48

Dear Judge:

You are hereby notified
that I will never cut the Negro's
hair or anyone else's hair & desire
not to cut.

I thank God That Russia
has the Atomic Bombs and the
Triune God has given even the
Atheist Courage and ability to
defend themselves against men like
you fellows and the majority of
liberals in the United States Senate &
furthermore; when the final day
come when I have to take side with
either group God and I both will
be on the side of Russia. If I have
to give my labor and business over
to some force God will be more
pleased for me to yield to the atheist
rather than the legalistic false god you
men seem to serve. Since you
men have been changing and
trying to make all men brothers

We have 18 percent increase
in Crime.

I think we have the
meanest men and the heartless
and dumbest men in the Senate
and the poorest judges on the
bench in the history of the world
at present: these men or more
vile and ignorant & more full of
treachery than Hitler with his mob of
murders. Yes, 18 percent increase
in Crime and hundreds of white
women raped by negroes. Like the
one here recently - "a pregnant white
woman raped at home, then dragged
out forced to the woods, raped again
and murdered by a Negro." Hundreds of
such cases around the country and
you men are so blinded by your own
sins and religious prejudice you care
not for even facts etc. Like our
departed J. F. K. who said "there is no
use listening to folks who disagree with him

I have never killed anyone, not
even during 6 years of military service ^(w)
and I make no such plans - but no tears
will be shed by me in the absence of some
of you from Washington however your final
day comes. May your false God
be kind to you... for I sincerely

believe you men are guided from
the pits of Hell it self. yes,
anything to fight the Bible, Jesus
Christ and the Holy Spirit - yes,
anything. gambling is ok,
drinking ok - blonds are not
investigating much, sin of all
kinds everywhere is ok. but
a little barbs cannot operate
in private property. How
fornaturally will a false god
that his belief senators and
outgo.

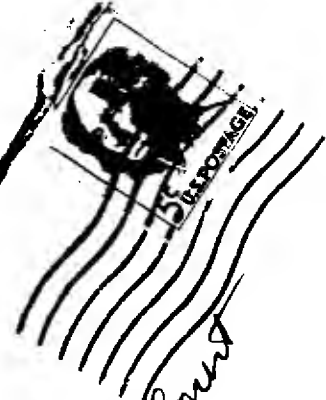
The end is not yet. The
Triune God will be the final
judge and like old soldiers the
actually die instead of take away so
will you men as well as me.
The Church has not missed J. F. K.
with all the publicity we are going
right along fine. Of course a few
felts committed suicide but false gods
always cause that.

Go ahead dance with the
negroes, be raped by them - let your
wives and daughters suffer... or perhaps
you can afford the private clubs - the
private schools. Most of Americans
are not like Mr. J. F. K. - Most of us

as not. like Synda Johnson we have
not got protection paid by our own
Tappan's money. All we want to
get is just the opposite of protection.
The Court says - let them in,
let them Rampage, let them eat
and run off our customers, let them
chord up our beaches at other
places... while our Senators enjoy
the private Clubs and places with
a big salary. I say the Senators
are a big bunch of degraded
Hypocrites to say, do as I say,
not as I do.

So do or you please
and answer to Almighty God.
b6 b7- [REDACTED]

If you men get respect
you have to deserve it and
earn it. Callings us brothers
and expect us to be puppets is a
big joke. The Educated, the rich and
ignorant and poor only get a few feet
of ground and the final false of
death. (Never forget that) you might
lose property unless a little better if you
realize over the air gun breath belongs to God.



The United States Supreme Court
Washington 25, D.C.

July

Supreme Court

RECEIVED
SUPREME COURT, U.S.
CLERK'S OFFICE

We will show you whether

we will have niggers in
our white apartments or
not. We have permission
from our police chief to
shoot shoot niggers and more
We have guns and more
ammunition than we can
ever use and baseball bats.

No damn infidel niggers
longer are going to tell us
what we are going to do.
You don't own this nation!
This is OUR nation!
You will find out that there
is a God in Heaven. When
you find yourselves burning
in Hell.

Kennedy started this.
Look what God did to him.
You can be a thug if you
want to, but you are not
going to tell us what we
are going to do.
You are going to burn
in Hell.



*Supreme Court
Washington D.C.*

High Court Block
Red Register

How could the bunch
of Traitor Communist
Atheists spit out
any diffent. You wouldnt
expect them to vote against
themselves would you.

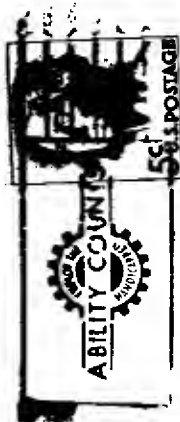
They say the death of an
Atheist & Communist is the
most terrible sight to behold
when they go floating down
to Hell & see all the
horrible things they have done
& I pray God we keep

RECEIVED
SUPREME COURT, U.S.
MARSHAL'S OFFICE
JUN 22 PM 5:17

Earl Warren soon burn
I suppose the devil
has lots of work for
him to do yet before
he burns. In such
Warren long time ago
committed the unpardonable
sin.

Happy burning
by traitors & to
all your good friends
to your children
to your family

13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 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The Supreme Court Justices
US Supreme Court
Washington D.C. 20541

RECEIVED
SUPREME COURT, U.S.
OFFICE

305

1964 JUL 7 AM 9:56

Los Angeles, Calif.

May 10, 1968

United States Supreme Court Personnel Division
Federal Bureau of Investigation

Please investigate a "Phyllis Schan" racket now threatened by Jews here. The Federal Government is involved in a trust of the Peabody Apartments set up by President George Washington and the Jew doctor Paul Cohen and his impersonation of Justice Felix Frankfurter as well as his disease racket run in state staffed hospitals that is blamed by Jews on Justice Frankfurter. Cohen tried to force me under drug to write a letter to a John Edgar Hoover appointing a Mr. Hoover a "Judge in Hellholes. Court and sign the letter Russia. What is the J. Edgar Hoover collection? Is there a Jew "Hoover" too. Haulies for bank a "Hoover" and "Mrs. Allen Muller worked on me also for US Intelligence

2
codes. I do not know a damn thing
about United States codes other than
I consider the whole damned
hospital commitment fraud an
insult to many wonderful people
who are not interested in subversive
activity.

A Mr. Mace and Mr. Wiggins play the
role of "federal doctors" with doubles
who are U.S. Navy and U.S. Army
Intelligence agents and a Mr. Talbot
has several doubles at Camarillo
one of whom is running some sort
of free love game and such behavior
is an insult to Naval personnel.

Please investigate as a double
for Hugo Black, Justice played
the role of a Mr. Burkard and
all. I can say is his notorious
license should be yanked off
him as the birds up there say.

I sense a Supreme court racket
involving drugs donated by big
drug firms being stolen and sold
by state employees and big
countries planned and top grade
liquor donated being fished by

RECORDED
INDEXED
JAN 25 1955
FBI - WASH DC

3
hospital directors and sold in little commission
and clothes donated by manufacturers
sold in employee owned stores and
at sales.

I was held up in Camarillo for
months and unable to write anyone
and I sent a letter out to you
finally. The demands to will
Camarillo Hospital money by Justice
Frank Jastrow Jastrow and his
prison record for a Kuna murder
years ago after a kidnap-murder
epic and his jail or prison record
with insurance fraud should be of
interest to Justice Frankfurter.

I am not Jewish or Hebrew and
I am not interested in religion.
I am not interested in Murray
and the Masonic attempt to
force Masonic relations on me
by a New Jerusalem (or Jerusalem)
Lodge in New Jersey via Frankfurter
double me an insult. Between
religious pressure and Mason
pressure to sign "powers of attorney"
and "estate managers" and vote

4
by proxy" and "bequeath" and various
adoption papers and marriage
papers I am becoming rather acquainted
with the U.S. philosophy of life.

Find out what ails all of the
ugly mugs pictured as a "J. Edgar Hoover".
I certainly would not of my own
volition appoint a judge for any
court in this country.

Blumstein and Russell both put
on better visiting shows with a
"think" and "feels" performance that
is an insult to scientific murder
and the cold war. How Justice
Frankfurter knew of the two
dumself and also of a "Peadilly"
Department Trust set up by President
George Washington with most of
the old dummies of U.S. Supreme Court
passing judge examinations by adding
legal legal set ups with the trust
and.

The old "Mary Wards" in "Church"
is running a "Mrs. Shapiro racket"
with all of it now with a m.

5
in Chicago, Illinois involved. She did run
Pay or be cremated game blamed on
police usually is involved too. I
sense relatives shocked in matters
forced to sign the "Church" or "Word"
Trust for Marine Apartments.

I also sense all names of tenants
here are involved with trusts and
also of the Joseph Scott son,
the replacement for Judge Sherman
who followed me around Pasadena
for years. I sense the Justice
Sherman replacement was the
real Monsieur Scott and the
repulsive Scott set up trust rackets
here to frame various Justices
of United States Supreme Court.
The ambition to use the name
of "Mary Sherman" has this crowd
drunk with power.

Please arrange to have United States
Government agents talk with me
as soon as possible. And not
in any hospital.

I absolutely refuse to be involved
with the Scott-Sherman racket and
the insurance trust racket.

sense that was to be blamed on both
Justices Hugo Black and Felix Frankfurter
are simply an infamy.

Investigate as soon as possible and
please use extreme caution in any
reply as the "Wolf is chasing Red
Hiding Hardy" with the chorus and
litany and penance of thought
priests give in confession as
penance.

b6, b7C

Los Angeles, California
May 9, 1964

AFTER FIVE DAYS RETURN TO

Los Angeles Calif.

Rec

7/7/64

8:25 PM

56

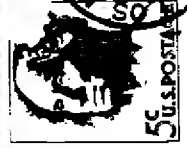
57C

Air Mail Special Delivery

United States Supreme Court

Personnel Division

Washington, D.C.



REC-60 SAC, Los Angeles
EX-112 Director, FBI

July 29, 1964

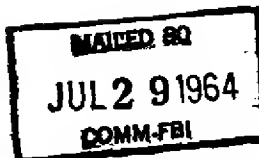
62-27585-196
b6
b7c
**PROTEST LETTERS TO
UNITED STATES SUPREME COURT**

[REDACTED], Marshal, Supreme Court, furnished four letters addressed to the Supreme Court. These are general rambling letters which objected to recent decisions handed down by the Supreme Court.

You are being furnished two copies of an anonymous letter. A search of the anonymous letter file was conducted with negative results. This letter contains the statement, "We have permission from our police chief to shoot shoot niggers. We have guns and more ammunition than we can ever use and baseball bats." This letter was postmarked 7-4-64 at Los Angeles, California.

You are requested to make one copy available to one of your contacts in the Los Angeles Police Department. It should be noted, however, that there is no indication the writer is referring to the Los Angeles Police Department.

Enclosures (4)



b6
Chattanooga, Tenn.
b7c
[REDACTED]
NOTE: The letter from [REDACTED] indicates that the Supreme Court should arrange to have a U.S. Government Agent talk with her as soon as possible. Crime Records Division maintains an "appears mental card" on this individual and no action is being taken.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holloman _____
Gandy _____

65 AUG 13 1964
65 AUG 14 1964

MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan *WCS*

DATE: July 15, 1964

FROM : D. J. Brennan, Jr. *DJB*

SUBJECT: PROTEST LETTERS TO
UNITED STATES SUPREME COURT

Tolson ☒
Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Malone ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

C
On 7/10/64 [REDACTED] Marshal, Supreme Court, furnished four letters addressed to the Supreme Court. These letters are general rambling letters which objected to recent decisions handed down by the Supreme Court.

b6, b7C
Two of these letters are anonymous. One is signed [REDACTED] Chattanooga, Tennessee, and the other is [REDACTED] Los Angeles, California. In the course of the rambling incoherent letter of [REDACTED], there are several meaningless references to Mr. Hoover. Based on information available, there is no pertinent identifiable information in our files concerning [REDACTED] and [REDACTED].

[REDACTED] advised these letters are being furnished for our files. These letters are apparently written by emotionally disturbed individuals.

ACTION:

For record purposes only.

Enclosures (4)

b6, b7C
P [REDACTED]
(5)

- 1 - Mr. Belmont
- 1 - Mr. Sullivan
- 1 - [REDACTED]
- 1 - Liaison

W 447
RECEIVED

b6, b7C
5- [REDACTED]
62-27585-191

AUG 5 1964

56 AUG 12 1964

UNRECORDED COPY FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 8/7/64

FROM : *W66*
CPD SAC, LOS ANGELES (9-3090) (RUC)SUBJECT: PROTEST LETTERS TO
UNITED STATES
SUPREME COURT

ReBulet to Los Angeles 7/29/64.

100
100
100

On 8/4/64 a copy of the letter enclosed with referenced letter was furnished to [REDACTED], Los Angeles Police Department.

[REDACTED] expressed appreciation for the letter and stated he would forward it to the "Hospital Sq.", for comparison with others in file.

3 - Bureau
1 - Los Angeles

[REDACTED]
(4)
b6, b7C

REC- 66

AUG 10 1964

EX-102

94
AUG 17 1964*No action**b6, b7C**Crime*

TRUE COPY


Greeley, Colorado

September 2, 1964

incl
Mr. J. Edgar Hoover,
Director of the F. B. I.
Washington, D. C.

Dear Mr. Hoover,

This letter appeared in the Greeley Daily Tribune on August 31st. I'm sure some of the statements are not true, especially the last paragraph. Will you please advise me how to answer a letter like this one? This gentleman writes many extreme letters like this one to our daily paper.

Thank you for your kind attention.

Sincerely


b6, b7C


REC-65

62-27585-199
11 SEP 17 1964

EX-131

S
ENCLOSURE

ITC 9-8-64 des
ack 9-9-64


nm b6, b7C

0 3
[REDACTED]
GREELEY, COLORADO

September 2, 1944

Mr. J. Edgar Hoover,
Director of the F.B.I.
Washington, D. C.

Dear Mr. Hoover,

This letter appeared in the
Greeley Daily Tribune on August
31st. I'm sure many of the statements
are not true, especially the
last paragraph. Will you please
advise me how to answer
a letter like this one? This
gentleman writes many

ENCLOSURE

CORRESPONDENCE

1 TC 9-8-64 des
9-9-64
DCL des

11228

Letters to the Tribune

Says Supreme Court Has Dubious Record

To The Tribune:

The 200 million non-communist people now under communistic control, that were free people prior to 1946, thought the same way as many Americans do. It can't happen here. The United States Supreme Court has a dubious record in casting its vote on issues involving communism. Is the highest court of our land pro-communist?

The following information is recorded in the minutes of the Senate Judiciary Committee meeting held May 2, 1962. Senator James Eastland, chairman of that committee, recorded the vote of each justice of the Supreme Court whenever a case involving communism was tried. If the individual judge voted in favor of the position advocated by the Communist Party, his vote was recorded pro. If his position was contrary to the Communist Party his vote was recorded contrary.

Justice Black voted pro-communist on 102 decisions out of 102 cases. Justice Frankfurter voted pro on 69 cases out of 103. Justice Douglas voted pro on 97 out of 100 cases. Justice Bren-

nan voted pro in 49 cases out of 51. Justice Burton voted pro-communist on 37 out of 51 cases. Justice Clark voted pro on 21 cases out of 52. Justice Harlan voted pro on 30 cases out of 55. Chief Justice Warren voted pro-communist in 42 cases out of 65.

In the past four years there has been no control or investigation of Communist infiltration in our government. Many Communists tried and convicted in our courts or individuals that took the Fifth Amendment have high positions involving security in our government. "63" might be too late, we must elect a president that will stop this in "64."

L. L. Eldred DVM
1839 26 Ave. Cl.

CREELEY, Colo.

62-27585-199

ENCLOSURE

REC-65 2-27585-199

September 9, 1964

EX-131

Greeley, Colorado

Dear [REDACTED]

Your letter dated September 2nd and enclosure have been received in Mr. Hoover's absence from Washington.

I know Mr. Hoover would want me to advise you that, as the head of a Federal investigative agency, he is not in a position to evaluate or comment concerning the decisions of the Supreme Court or the individual Justices. I am sure you understand the necessity for such a policy.

Enclosed is material I hope you find of interest.

Sincerely yours,

Helen W. Gandy
Secretary

Enclosures (5)

(3)

See note and enclosures next page.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

SEP 24 1964

MAIL ROOM ☐ TELETYPE UNIT ☐

REC'D-READING ROOM

SEP 9 3 40 PM '64

FBI

b6
b7c
[REDACTED]

Enclosures (5)

"Faith in Freedom"

Do You Really Understand Communism?

Deadly Duel

Internal Security Statement, 4-17-62

One Nation's Response To Communism

b6
b7c
NOTE:: Correspondent is not identifiable in Bufiles under the names of [REDACTED] and [REDACTED]

The clipping she enclosed describes a summary conducted by Senator Eastland recording the votes of the members of the Supreme Court whenever a case involving communism was tried. The votes are predominately procommunist.

Memphis, Tenn
Sept.

Mr. J. Edgar Hoover,
F. B. I. Chief,
Washington, D. C.

Dear Mr. Hoover:

Since your department is supposed to root out and keep eliminate Communism, especially in government, will you please tell me why the admitted Communist (the \$100 a day man) is even considered for such a job? I'm sure there are men with as much intellect in Washington who could do the job.

Judging from some of the decisions the Supreme Court has handed down in favor of Communism, I think it is not hard to understand why Earl Warren insists on keeping him. Isn't there anyone in D. C. who yields more power in Washington, and if there is, why isn't it used on that Supreme Court?

I am of the opinion (and hundreds of others I hear talk) that this Court is a worthless organ and a terrible expense to our country and should be abolished.

| | |
|--------------|-------|
| Mr. Tolson | _____ |
| Mr. Belmont | _____ |
| Mr. Mohr | _____ |
| Mr. Casper | _____ |
| Mr. Callahan | _____ |
| Mr. Conrad | _____ |
| Mr. DeLoach | _____ |
| Mr. Evans | _____ |
| Mr. Gale | _____ |
| Mr. Rosen | _____ |
| Mr. Sullivan | _____ |
| Mr. Tavel | _____ |
| Mr. Trotter | _____ |
| Tele. Room | _____ |
| Miss Holmes | _____ |
| Miss Gandy | _____ |

copy

EXP. PROC.
SEP 23 1964

Form in. absence to [redacted]
9-25-64

66, NEW T 62-27585-200

67C

SEP 23 1964

T-100


2

ed or re-shuffled and getting rid
of Earl Warren and any others who are
more concerned with the welfare of the
Communist than with our Americans.
This is how the whole South feels on
this situation and I pray God will
remove any not concerned with the
good of America.

Thank you, Mr. Hoover for your many
years of service given our Country and
I trust there are many more to come.

Sincerely yours,

b6
b7c


Memphis, Tenn.

I would like to add that Mr. Johnson's
knowledge (and failing to do something
about it) of the above situation isn't
going to help him now. 3rd.

| | |
|--------------|--|
| Mr. Tolson | |
| Mr. Belmont | |
| Mr. Mohr | |
| Mr. Casper | |
| Mr. Callahan | |
| Mr. Conrad | |
| Mr. DeLoach | |
| Mr. Evans | |
| Mr. Gale | |
| Mr. Rosen | |
| Mr. Sullivan | |
| Mr. Tavel | |
| Mr. Trotter | |
| Tele. Room | |
| Miss Holmes | |
| Miss Gandy | |

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Sept.

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F.B.I. Chief
Washington, D. C.

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I am of the opinion (and hundreds of others I hear talk) that this Court is a worthless organ and a terrible expense to our country and should be abolished or re-shuffled and getting rid of Earl Warren and any others who are more concerned with the welfare of the communist than with our Americans. This is how the whole South feels on this situation and I pray God will removed any not concerned with the good of America.

Thank you, Mr. Hoover for your many years of service given our Country and I trust there are many more to come.

Sincerely yours,

b6
b7C

Memphis, Tenn.

I would like to add that Mr. Johnson's knowledge (and failing to do something about it) of the above situation isn't going to help him Nov. 3rd.

b6, b7C

COPY:crt

4 2564 [redacted]

September 25, 1964

REC-7

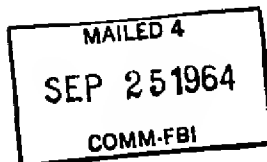
62-27545-200

Memphis, Tennessee

Dear [REDACTED]

Your letter was received on September 23rd in Mr. Hoover's absence from the city. You may be certain your communication will be brought to his attention upon his return.

Sincerely yours,



Helen W. Gandy
Secretary

SEP 25 4 21 PM '64
REC'D-READING ROOM
FBI

NOTE: Bufiles reflect we have had prior cordial correspondence with this individual, however, the controversial nature of the correspondent's letter, her derogatory comments concerning Chief Justice Warren and President Johnson prompt sending this individual a reply over Miss Gandy's signature rather than the Director's.

Tolson _____
Belmont _____
Mohr _____
Cooper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

61 SEP 25 1964

MAIL ROOM ☐ TELETYPE UNIT ☐

RECEIVED DIRECTOR

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Rosen

DATE: October 15, 1964

FROM : G. H. Scatterday

1-Mr. Rosen
1-Name Check
1-[REDACTED]

SUBJECT:

BORN

BORN

BORN

BORN

SUPREME COURT NAME CHECK REQUESTS

On October 13, 1964, name check requests were received from [REDACTED] U. S. Supreme Court, on the afore-captioned individuals. The forms submitted indicate that [REDACTED] is applying for "general cleaning." [REDACTED] is applying for "char work." Positions are not shown for the two men on whom name checks were being requested.

A check of Bureau files reveals no identifiable derogatory information concerning [REDACTED], or [REDACTED].

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [REDACTED] and [REDACTED] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

(4)

69 OCT 29 1964

338

ST-105

REC-44

16 OCT 21 1964

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Evans _____
Gale _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

DATE: October 23, 1964

Mr. G. H. Scatterday

1 - Mr. Rosen
1 - Name Check
1 - [REDACTED]

SUPREME COURT NAME CHECK REQUEST

On October 21, 1964, a name check request was received from [redacted] Marshal, U. S. Supreme Court on [redacted] born [redacted]. The Form 57 submitted indicates that this individual is applying for a position as "Janitor."

A check of Bureau files reveals no identifiable derogatory information concerning [REDACTED]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [REDACTED] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

REC 49 62-27585-202

NOT RECORDED

191 OCT 29 1964

69 NOV 1964

148 - 100A
Stamp - 10/26/64
Date - 10/26/64

Supreme Court

The Lawless

Court
1964

Booklet - J

CORRESPONDENCE
DEC 14 1964

62-27585-20

NOT RECORDED

DEC 15 1964

ENCLOSURE ATTACHED

1- ENCLOSURE

Mr. J. Edgar Hoover
Director of F.B.I.
Washington, D.C.

D
C
C



THE LAWLESS COURT

1964



by
J. M. CLEMENTS
Attorney at Law

*File 8-100
No Record in Buffalo.
Booklet in anti Supreme
Court + Anti Negro = NO
ack. mail from 12/18/64*

THE LAWLESS COURT

1964



by
J. M. CLEMENTS
Attorney at Law



Published by the Author
Suite 617, 117 West 9th Street
Los Angeles, California 90015

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J. M. CLEMENTS
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*Composed and Printed by Fox Printing Co., Inc.
Los Angeles, California, U. S. A.*

THE Republic of the United States of America has existed for 175 years. In the long history of the world, but a moment as time is measured. Our first constitution was written by convention in 1787 and created our Congress, an assembly of more human intellect at one time than in all of history. They put together the Declaration of Independence which is the greatest political document in the world. From the beginning of this government, men have been concerned as to whether an ideal government of human conduct could survive in this world, or if the people would long support it. Truly "Eternal vigilance is the price of liberty."

For the past 30 years we have been led by a demagogue namely the politician who preys on the greed and passion of special interest and pressure groups, organization and the power to vote in bloc. This was the new political environment in our country created by Roosevelt. One of his first programs was to pack the Supreme Court by increasing its membership. He appointed some of his social minded tools who were inexperienced in rendering their decisions. He failed in his attempt. Congress refused to pass the law to accomplish his purpose. Time passed, retirements and death gave him no more.

Two of his first appointments were to the Supreme Court and William O. Douglas.

Hugo L. Black was a politician from the time he was at the time of his appointment to the bench as a Supreme Senator. Before his appointment his only political activity that of a police court judge for a short time. His activity while in the Senate was investigation of Communists. His vicious examination of witnesses was unequaled by any committee of the Congress. Senator McCarthy has been long criticized for his investigation of Communists in government. Senator Black was mild in comparison to that of Senator McCarthy. Black early demonstrated that he was a politician. Black was not only investigating but he was exposing. Senator McCarthy was exposing the Communist Party. Black's passionate concern for the protection of the Constitution was the price of liberty.

since he has been on the Court is most revealing as to his character. The point here is "Whose ox is being gored?"

William O. Douglass before his appointment had no experience in practicing law and no judicial experience. He had been a teacher at Columbia University and had been a professor of law at Yale and had served on the Securities Exchange Commission before his appointment to the Court. He has always been, both before and after his appointment, identified with radicals and radical movements, and is perhaps best remembered for his desperate efforts while on the bench in trying to save two Communist spies from execution. They were Julius and Ethel Rosenberg.

These two Justices are the hard-core of the ultra-radical members of the Court. The other Justices who now constitute the radical majority on the Court are Earl Warren, William J. Brennan, Jr. and Arthur Goldberg.

Earl Warren was a California politician who had been District Attorney of Alameda County, Attorney General and Governor of California. At that time, from all outward appearances, he seemed to be a "middle of the road" Republican. However, looking back it is revealed that underneath he had radical tendencies. He never had any judicial experience. Several years ago when Richard Nixon was running for United States Senator in California against a left wing Democrat, and Warren was running for Governor, he completely ignored Nixon and publicly gave him the cold shoulder although they were both Republicans running on the same ticket. At that time some observers credited this conduct of Warren to the innate selfishness of a political adventurer. However, subsequent events suggest that it may have been something else.

William J. Brennan, Jr., another member of the radical five that control the Court, is the only one who had judicial experience before his appointment; he had been a judge of the Supreme Court of New Jersey, which reveals nothing that would indicate what his attitude would be as a member of our highest Court. However, one fact might be of significance was that he received his law degree from Harvard Law School and one of his teachers was Felix Frankfurter.

Arthur Goldberg before his appointment had no judicial experience. He had been a labor lawyer and a labor leader and an extremely active partisan on behalf of labor unions. The ques-

tion arises: How could you get unprescient decisions from a man of this background?

The succeeding pages will show how the Court, constituted, has taken over the power of the Constitution and is, in effect, destroying our Constitution by its decisions that it has encouraged and liberally protected criminals and at the same time indifference and contempt for law and order.

We live in changing times. The world today is not Socialism but its spirit. The origin of Communism, of course, was "Marxism". He pretended to find something new as old as the human race, but Marx's formula in this respect, that it was state slavery as opposed to chattel slavery. Nicolai Lenin brought the slave state to include the enslavement of the body. This Oriental was completely devoid of humanitarian sentiments. He, of course, had been born in Russia where the people of the East have been enslaved and brutalized. The new element of deception in his opinion and politics. One of his important contributions to the destruction of patriotism on the thesis of a modulated, childish instinct. Patriotism is as such an expression of pride. Pride in respect is gone man has deteriorated and is a most powerful instinct, and when it is gone is a most powerful trait.

These ideas of Lenin seem to have been adopted by our so-called intellectuals and liberals who are blind to the fact that the old system is superior until the new has proven superior. In the past and Lafollette a liberal was a man who advocated freedom. The liberals of today advocate the bureaucratic regulation of our daily lives by the boys of these so-called new ideas. The prosperity and our way of life and seem to be a bad thing and should be a hysterical urge to make "reforms".

The Supreme Courts place in our

limited by our Constitution. The five Supreme Court Justices who now control the Court, namely, Black, Douglas, Warren, Brennan and Goldberg, are social reformers. There is a proper place for reformers in our government. They belong in the legislative branch, but never in the judiciary. In the judiciary they cannot help but be a corrupting influence. They do not know or do not care about the proper function of a Court. The purpose of a Court is to determine the truth respecting a question of fact in a particular case and to determine in a criminal case the guilt or innocence of a defendant. Nothing more and nothing less. In the most recent Communist case the Court, speaking through Justice Douglas, stated:

"America is of course sovereign; but her sovereignty is woven in an international web that makes her one of the family of nations. The ties with all the continents are close—commercially as well as culturally. Our concerns are planetary, beyond sunrises and sunsets. Citizenship implicates us in those problems and perplexities, as well as in domestic ones. We cannot exercise and enjoy citizenship in world perspective without the right to travel abroad."

This puts the five Justices in the same mental condition that a new recruit is in after he has been indoctrinated and is ready for membership in the Communist Party.

These men are unqualified by training, experience or temperament to be Judges. Lack of a Judicial temperament in any Judge is a bad thing. In our highest court it is a tragedy.

This book is a partial chronicle of the Supreme Court's decisions which should have the thoughtful attention of all citizens.

J. M. CLEMENTS.

THE VOICES OF PRO

THERE should be no discussion of our presidents. Out quoting the wisdom and foresight of our presidents.

George Washington in his farewell address said: "Let the wrongs let them be corrected in the ways of the Constitution but let there be no change by the Constitution. This, in one instance, may be the instrument of the customary weapon by which free Government is destroyed."

Thomas Jefferson writing in the year 1800 said: "I have never shrunk from the germ of dissolution of our federal government; an irremediable dissolution of the federal judiciary; an irreparable mischief is scarcely a scarecrow—worn out by night and by day, gaining a little today and advancing its noiseless step like a thief in the night, until all shall be usurped from the government of all be consolidated into one."

"To this I am opposed; because, when a government is centralized in one man, it is a danger to the domestic and foreign, in little as in great things. Washington as the center of all power, in the checks provided of one government, it becomes as venal and oppressive as the government we separated."

Abraham Lincoln, in his first inaugural address said: "The policy of the government upon vital questions of the whole people is to be irrevocably fixed by the Supreme Court the people will have ceased to have anything to that extent practically resigned the hands of that Eminent Tribunal."

THE SUPREME COURT AND THE COMMUNIST CONSPIRACY

A PRESIDENT IS MURDERED—

FOR the past 19 or 20 years the Supreme Court, under the pretense of protecting individual liberties, has systematically protected the Communist conspiracy. One of the earliest decisions, a decision rendered in June, 1945, entitled *Bridge v. United States*. This is a case where the Attorney General, under the authority of an Act of Congress, sought to deport Harry Bridges, a known West Coast labor leader. The Act of Congress, under which the proceedings were instituted provided that any alien could be deported who "was a member of, or affiliated with, any organization, association, society or group that advocates, advises, advocates or teaches the overthrow by force of the government of the United States". After a hearing and presentation of evidence, the Attorney General issued an order for deportation, which order Bridges appealed through the Circuit Court of Appeals, which Court sustained the order of the Attorney General, after which Bridges appealed to the Supreme Court. Justice Douglas delivered the opinion of the Court, which reversed the order upon the ground that the order violated the rights of an alien. Chief Justice Stone, Justices Roberts and Frankfurter concurring, dissented from the opinion of the majority of the Court, in which they contended that the Attorney General was entirely justified in this order because of the fact that in the hearing of the case the government produced ample evidence to prove that Bridges was a member of the Communist Party.

Some few years later Bridges applied for citizenship. The Attorney General of the United States objected to his naturalization by accusing him of "conspiracy to defraud the United States by defeating the proper administration of the naturalization laws by falsely stating that he had never belonged to the Communist Party of the United States". His naturalization was denied. Bridges appealed. The case finally reached the Supreme Court and the Court again ruled against the government, sustaining Bridges upon the ground that a three year statute of limitations had been applied. This in face of the fact that Congress had at that time removed the limitation. In this case there was

activities, Justice Goldberg stated in his Quinone's membership in the Communist Party, *meaningful membership*. This decision, a dissenting opinion being written

These cases show the Court's general
 munist conspiracy.

Now we come to cases which give direct evidence of Communist conspiracy and with some far more serious results. One was the case of *Dayton v. Dulles*, in which Dayton applied for a passport which was refused by the Secretary of State on the ground that he was a member of the Communist Party. His frank reason for securing the passport was that he had received employment from the Government for research, Bombay, India. The Tata Institute of Fundamental Research, Dr. Harard Peters, a suspected Communist agent, had renounced his American citizenship.

The other case was *Kent v. Dulles*. The Supreme Court and the State Department refused to issue a passport to Kent because that he was a member of the Communist Party. Kent's purpose in applying for the passport was to travel to the "World Council of Peace" in Helsinki, Finland. The Supreme Court, with Communists from all over the world, including Khrushchev in his big, phony propaganda campaign to impress the world with Russia's peace policy, reversed the lower Court and ordered the State Department to issue a passport to Kent upon application. As an American citizen, no matter what his political beliefs or activities, cannot be refused a passport.

The latest and perhaps the most im-
cision was decided on June 22, 1964.
Herburt Aptheker and Elizabeth Gurle
State. The Court summary was as follow

" "The chairman of the American the editor of POLITICAL AFFAIRS filed complaints in the United States District of Columbia for judgment on the constitutionality of the National Security Act of 1947, Sec. 6 of the Subversive Activities Control Act, the authority of which passports had been withheld, and ordering the Secretary of State to issue them. The three-judge Federal District Court su-

ality of the statute and granted the Secretary's motion for summary judgment. (219 F Supp 709.)

"BLACK, J., concurring, expressed the view that the entire Subversive Activities Control Act is unconstitutional.

"DOUGLAS, J., concurring, joined in the Court's opinion and added that, absent war, there is no constitutional way to restrict a citizen's right to travel, unless there is power to detain him.

"CLARK, J., joined by HARLAN J., dissented on the grounds that Sec. 6 is not unconstitutional on its face nor as applied to the plaintiffs.

"WHITE, J., dissenting, joined in the first part of the opinion of CLARK, J."

Here we have again another abuse of the Fifth Amendment. The basis of the Secretary of State's refusal to issue passports to these two top Communists was the Subversive Activities Control Act of 1950, Section 6 of which provides:

"(a) When a Communist organization . . . is registered, or there is in effect a final order of the Board requiring such organization to register, it shall be unlawful for any member of such organization, with knowledge or notice that such organization is so registered or that such order has become final — '(1) to make application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States; or '(2) to use or attempt to use any such passport.'

It is pointed out in the dissenting opinion that: "Mrs. Flynn 'was an active, participating and continuous member of the Communist Party of the United States; was active in the Party's affairs and its organization: and, indeed, was and still is one of its principal officials.' Likewise there is a finding—not under attack—as to Aptheker that he 'Aptheker' makes it quite clear in his own words that he has been a member of the Communist Party since 1939 and that he is very proud of his association and will do whatever he can to further the aims and goals of the Party.' The record shows that both Flynn and Aptheker were witnesses in behalf of the Party in the registration proceeding which resulted in the Party being ordered to register as a Communist-action organization. Communist Party v. Subversive Activities Control

Board, 367 US 1, 6 L ed 2d 625, 81 Cr addition, Mrs. Flynn was convicted under Flynn v. United States, 216F2d 354 (1 these circumstances, no one could say w petitioners did not know that they were Communist-action organization. In fact, claims lack of notice or knowledge of the r section.

"(2) As to knowledge that the Comm involved in a world Communist movement ing a totalitarian Communist dictators throughout the world, Congress made spec Subversive Activities Control Act of 1950 under which the hearing was held at whic fied for the Party) and in the Commun 1954 that: 'the Communist Party of the is in fact an instrumentality of a conspira Government of the United States,' 68 Stat and programs of the Communist Party are for it by the foreign leaders of the world ment,' *ibid.*; this control is in a 'Communi foreign country,' whose purpose is to 'estab totalitarian dictatorship in the countrie world,' 64 Stat 987; and this is to be accor organizations' in various countries which s of existing governments by any available n

Under this decision Congress is helpless t protect us from subversion and the Commu given the right to use our government's passp in all their foreign activities and organization government.

The Court is obviously indifferent to our r their passion to give the Communists a free re

THE MURDER OF PRESIDENT KENNEDY

In considering the effect of these last two consider the murder of President Kennedy 1963. The basic facts of the occurrence do not in dispute. The assassin was Lee Harvey Oswald who had for a long time engaged in Commu he was by nature an unruly individual, which go to Russia in November, 1959. Upon arriv

wald went to the American Embassy, turned in his American passport and renounced his United States citizenship. While in Russia he was married to a Russian woman, and after staying in Russia a little over two years he decided he wanted to return to the United States and went to our Embassy in Moscow and made application to have his passport returned. The Embassy not only returned his passport, but gave him money to return to the United States. After engaging in some Communist activities in New Orleans he moved to Dallas, Texas sometime prior to November 22, 1963, the date of the assassination. The rest of the story is now well known; about his purchase of a rifle and the fact that he fired at President Kennedy and Governor Connally from a school book storage building in Dallas.

From all of the evidence it seems reasonable that Oswald acted alone and that he did not carry out his act by reason of any instructions from Khrushchev or his secret police. This conclusion is the most logical one in that Khrushchev would have no reason to cause Kennedy's death. His dealings with President Kennedy had apparently been most satisfactory to him, especially the result of his dealings over the Cuban situation. Assuming that Oswald was acting alone, which seems to be the most reasonable conclusion, the undisputed facts are that Oswald was a product of the Communist conspiracy. IF WE WANT TO GO BEYOND THESE BARE FACTS IN ASSESSING RESPONSIBILITY THERE IS NO QUESTION BUT WHAT PRESIDENT KENNEDY WOULD BE ALIVE TODAY EXCEPT FOR THE ACTION OF THE STATE DEPARTMENT IN RETURNING OSWALD'S PASSPORT AND FURNISHING HIM WITH THE MONEY TO RETURN TO THE UNITED STATES. This foolish and unpatriotic act by the State Department seems almost inconceivable. However, the next question is: Did the State Department feel compelled to take this action by reason of the ruling of the Supreme Court in the Kent case? Perhaps a discussion by the Court with Secretary of State Rusk could enlighten us as to the real cause of this tragedy.

President Johnson has appointed Chief Justice Warren to head a commission to investigate the assassination. Why would President Johnson by-pass the Congress in setting up of this committee? Why was the Congress asleep as to their responsibility? This tragedy should have been investigated by a committee of Congress, the lawful and reasonable authority in this

situation. President Johnson acted with foresight which confirms his reputation as a manipulator. He evidently did not get into this situation as he took the action with masterful dexterity. In view of the Kent case, are they not just as suspicious in being the underlying cause of President Kennedy taking the action that he did President Johnson asking Chief Justice Warren to investigate this travesty!

THE REMARKABLE OF THE ASSASSINATION

In the excitement and confusion surrounding November 22, 1963, there was speculation, but the assassin was a bigot, a reactionary, and a conservative. One commentator in PRAVDA, Russia's propaganda newspaper, died aborning when the police quickly announced the assassin was a Communist and a pro-Soviet conspiracy. This immediately changed the news media was concerned. In the days following hardly a word of criticism, let alone any mention of the Communist conspiracy. What was Khrushchev over our communications and why did he bring it almost to dead silence? Khrushchev's news media is not only negative—any person or organization attacks the Communist Party immediately the radicals in the news media begin an isolated misstatement of fact or slip-up to begin a vicious counter-attack. They attack the Communist conspiracy because that would be the Communist tactics. They attack the radicals for being bigots, dangerous to progress, Fascists, and many other things. Then the dupes in the news media begin their action and sustain their counter-attack for years. Probably few of these people are aware that at least they are unconscious fellow-travelers that someone might accuse them of being fellow-travelers. Khrushchev has friends in our news media.

casts that our children will live under his brand of socialism. The whole business constitutes the cancer in our body politic.

KHRUSHCHEV GETS HIS REWARD!

Russia recently has had very serious crop failures and has had ideological differences with Communist China, either real or imagined. Did our government or press resent the assassination of our President? Hardly! President Johnson and our politicians in Congress rushed through Congress a special bill to sell millions of dollars worth of wheat to Russia on special terms and at a specially reduced price. Apparently Khrushchev must be saved from financial costs. This is but the latest of a long series of financial favors that we have given to our deadly enemies, the Communist countries. "The fools returned to their folly like the dog returned to his vomit."

III.

THE SUPREME COURT INCITES THE NEGROES

IN 1954 the Court opened a Pandora's Box of lawlessness by deciding that they instigated and promoted the Negroes to incite violence and destruction and protected them in their demonstrations, sit-ins and other lawless acts to intimidate the white community. The history of this adventure is of the gravest importance to every citizen of the United States. It is as follows:

JUDICIAL COUP DE TAT

In 1954 several cases on the same subject reached the Supreme Court of the United States for a decision. These cases involved the question of forcing Negro children into public schools. The title of the lead case was *Brown vs. The Board of Education*, known as the school integration case. The Court's decision ordered the School Boards to integrate. This was in violation of their decision on the language of the XIV Amendment to the Constitution. In particular the expression that they "deny to any person within its jurisdiction the equal protection of the laws". This opinion and order changed the ruling of the Supreme Court, which at all times prior thereto held that the obligation of the School Boards was to furnish "separate, but equal" schools for Negroes. In justification for its decision Chief Justice Warren, who wrote the opinion, stated that the Negro child was entitled to "intangibles considerations" such as "the right to study, to engage in discussions and exchange views with other students and in general to learn his profession". This was a quote from an earlier decision. He stated further "segregation of white and colored children in public schools has a detrimental effect on the colored child, the impact is greater when the sanction of the law for the policy of separating the races is usually interpreted as denoting the inferiority of the colored group, a sense of inferiority affects the motivation of the colored child to learn. Segregation with the sanction of law, therefore, has a tendency to (retard) the education and mental development of Negro children and to deprive them of some of the rights they would receive in a racially integrated school system." The Court unconstitutionally and unlawfully made a decision. The Court has no power under the Constitution to make a decision. This power rests with Congress and Congress is the only body the Constitution states in simple and explicit language

Article I, Section I reads: "All legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives".

Even Congress has no power in the field of education because the only authority they have is the authority given to them by the Constitution. All other powers are retained by the states. The Xth Amendment (Section 1) reads:

"The powers not delegated to the United States by the Constitution or prohibited by it to the states are reserved to the states respectively or to the people."

The Court itself has many times defined the limitation. As early as 1803 Chief Justice Marshall, in a case entitled *Marbury vs. Madison*, stated:

"A court decision merely decides; it decides a dispute between the parties to a case or controversy as to the law or facts, or both, depending on the precise issues between the parties in that case. A written opinion is just an 'opinion' and nothing more. It is, as the dictionary says, 'the notion, idea, or view' that the court entertains and expresses as a basis for a judgment or decree. The final judgment or decree, based upon the opinion, ends the dispute between the parties. The ruling does not 'make' laws but merely *declares or interprets* what law is binding in the particular dispute."

Associate Justice Jackson in the book published in 1955 "The Supreme Court in the American System" sets forth in terse language what has been through the years the Court's own ideas as to its limited powers.

"But perhaps the most significant and least comprehended limitation upon the judicial power is that this power extends only to cases and controversies. . . The result of the limitation is that the Court's only power is to decide lawsuits between adversary litigants . . . Also, as an appellate court, it properly can act only on the state of facts revealed by the record made in the court below, supplemented sometimes by general information of which it may take judicial notice.

" . . . And when it is all over, judicial decree, however broadly worded, actually binds, in most instances, only the parties to the case. As to others, it is merely a weather vane showing which way the judicial wind is blowing—a precedent that the Court in a similar case is likely to follow. Its

real weight in subsequent cases, however, with many factors, such as the quality of the prevailing opinion, the strength of any dissent, the acceptance or rejection by the profession, and the experience in application of

It will be seen from this that decisions of the Court are not laws and cannot have the effect of laws. This power is reserved alone to Congress, and not even to Congress unless authorized by the Constitution. Thus we have had from the beginning of the republic until 1954 a government of laws and not of men. The *Brown vs. The Board of Education* case suddenly destroyed all established principles and the Court, in one stroke, decided to destroy the Constitution and set itself up as the SUPREME LAW OF THE LAND.

The most amazing result of this bold take-over was the attitude of Congress; their cowardly acquiescence in the Court's usurpation of their rightful authority and their giving the Congress just a rubber stamp to be used by the Court at its whim dictates a new adventure for their despotism. Is the Congress going to stand by like a herd of timid sheep while the Constitution is being nullified? This tendency of the Congress has been some time in the making. Many years ago, of the House Cannon, in a humorous mood, asked "What is more cowardly than a Congressman?" "Two Congressmen." The Court has already furthered its usurpation by limiting the Congress as to what subjects their committees can inquire into when seeking information which to base future legislation.

What caused this amazing assumption of power by the Court sorry about the Negro's economic position in the United States? Did the Court decide to make a special class of the Negro and give him special privileges by other citizens? Should not the Negro earn his living in this country the same as is required by other persons, no matter the color of his skin might be?

It seems to be the unquestioned theory by Negro and white pathetic whites alike that the Negro can make a good school without close classroom association and interaction with white students. It apparently makes no difference what physical equipment is or what the ability of the teacher, for the purpose of integration is to improve and

Negro child. If this is true, what does it do to the white student? Conversely does not integration tend to retard, debase and degenerate the white child? Whose welfare is to be considered—just the Negro? Does the white child have no rights? Is his welfare and future to be sacrificed in an attempt to improve the Negro? Is this equality before the law? Are the desires of the Negro alone to be considered?

PROMOTION OF LAWLESSNESS in order to implement their so-called revolutionary law and to carry out the Courts apparent plans has encouraged the Negro to *demonstrate* to secure what they claim are their *rights*, provided that said demonstrations are *peaceful*. Demonstration means an assembly of people with pent up feelings. Anyone with the slightest power of reasoning knows that this sort of *assembly* usually turns into a mob which, as Webster says, is "a turbulent and lawless crowd". Thus did the Court inflict on the law abiding people of this country a state of anarchy and lawlessness, well known now to all who read newspapers or listen to or observe other news media. This lawlessness has naturally attracted a variety of white people in all conditions of mental balance or unbalance. In addition to the naturally criminally inclined, a large segment of these people undoubtedly are laboring under an intense emotional sympathy for the Negro. When emotion moves in, logic and reason depart. This mental illness can best be described as *emotional dementia*.

The members of the Court do not seem to have much knowledge of history, or else they are brutally and callously indifferent to the consequences of their encouraging and, in fact, legalizing these so-called demonstrations. It took the English 600 years to develop an orderly and law abiding society and civilization. The American Negro, at most, is but a few short generations from the savagery of the African jungle. Has the Court forgotten what happened in the South after the end of our Civil War? Because the white man was defeated and disorganized the Negro ran amuck. A Northern observer on the scene reported it as an amazing spectacle of barbarism overwhelming civilization by physical force and a wonder and a shame at the excesses of the Negro.

The authoritative book by E. M. Coulter titled "The South During Reconstruction" recites some of the misconduct and lawless excesses of the Negro, encouraged by the carpetbaggers,

radicals and visionaries of that day. The carpetbaggers, political schemers and thieves taking advantage of the conditions then existing in the South. The radical trouble-makers seeking by any means to punish the South because of the Civil War, and they devised the schemes to carry out their ideas. The visionaries, the well meaning but nonsensical busybodies who added activities to the confusion. To quote from Mr. Coulter:

"To prevent anarchy the army of occupation was organized and dispersed itself in small groups widely over the South, with each state comprising a department under a general. Even if the army had been forbearing and had difficulty in preserving order everywhere, the soldiers singing 'John Brown's Body' and exciting the Negroes and with a previously submerged lawless white population unrestrained, for a short interim there was no order in some parts of the South.

"At the end of the war the tendency was for the government in the Federal army to get mustered out and to replace them with a less reliable soldiery to police the South. The troops remaining were Negroes, the number in 1865, amounting to 85,000. Many of them were sent widely over the South where they became almost without exception a vicious influence. Elated over their new uniforms and guns, they took special delight in terrorizing white people and in instilling dangerous notions into the heads of the freedmen. Occasionally they had collisions with the whites and ravished white women. In one instance they collided with the police and were disarmed and sent to the provost marshal; in Beaufort, North Carolina, a Negro soldier raped a white girl and was arrested and sent to Macon near by where other Negro troops threatened to take the guns of the fort on the city; and near Augusta, Georgia, marauding troops demolished the home and killed the lives of a family who objected to the Negroes using the well bucket instead of the preferred good one. Newberry, South Carolina, a Confederate soldier who returned after the war to his Texas home was beset by the Negroes and murdered because he attempted to protect them from their insults.

"During reconstruction three hundred Negro

in open riot in 1869 on the Ogeechee river rice lands in central Georgia. They drove out the white owners and showed their intention of running that part of the state . . . next year a better organized and more serious outbreak took place in the vicinity of Louisville, Ga. . . by a movement whose purpose was to protest against arrest, prevent collection of debts and taxes, effect their release if placed in jail, and ultimately gain control of the land.

"It was estimated that 150 people were killed in riots in Jackson County, Florida; that Negroes started the most serious riots in Alabama's history when at Eufaula they tried to prevent a member of their race from voting the Democratic ticket. In Louisiana under its miserable travesty of government there was no end of riots—the Colfax riot in which 59 Negroes and two whites were killed, the Coushatta violence in which five Radical office holders were murdered, and the famous New Orleans uprising of 1874 which was not unlike a Parisian revolution."

Then, as now, there were many Northern white people suffering from "emotional dementia", then called *visionaries*. To quote again from Coulter's book:

"Certain Northern visionaries honestly thought that the solution of the Negro question lay not only in forced social equality but also in the disappearance of both races through miscegenation; the political tricksters knew better, but for a time they favored the program as part of their scheme to capture and hold Negro votes. Well might Southerners look with abhorrence on miscegenation, as, indeed, did most Northerners, with one of the latter expressing some levity in this parody on "Yankee Doodle Dandy":

Yankee Doodle is no more,
Sunk his name and station;
Nigger Doodle takes his place,
And favors 'malgamation.
Nigger Doodle's all the go,
Ebon shins and bandy,
Loyal people all must bow
To Nigger Doodle Dandy.

Bishop Gilbert Haven of the Northern Methodist Church saw the millennium nearing when he predicted that the 'hour

is not far off when the white hued husbandky beauty of his wife, and the Caucasian sun-kissed countenance of her husband unconscious of the present ruling abolition for her lighter tint.' In addition to this, only the dregs of both races favored South Carolina Negro boasted that 'when he would go to 'quiltings', sit beside his white wife.'"

After almost twelve years of this blood South slowly quieted down. Since then race riots in the North, in fact, much more. We recite one situation, not that it is not others, but because of an editorial it produced in Omaha, Nebraska in 1919. The *Lit* 11, 1919 tells the story:

"The feature of the Omaha riot differentiates it from previous crimes of the phrasing the sinister spirit of anarchy is the murderous assault upon Mayor. He attempted to address the mob. Omaha recent epidemic of crimes committed culminating in an assault upon a nine. On Sunday night, September 28, the mob of five thousand stormed the Negro charged with this crime was demanded that the authorities hand him. This demand was refused they set fire incendiary bombs, imperiling the lives of prisoners and officials, and turned fusillade of shots. When the Mayor's house steps and began to address the the leaders interrupted him with 'nigger'. When he replied, 'I can't do this by the men nearest him and dragged away. 'Lynch him', shouted some one. At that moment a rope was round his neck and a trolley-wire. Somebody cut him down, justed the rope and pulled him up and policemen rescued him he was bleeding from the mouth, but still conscious. At the hospi

his condition was found to be critical, but he ultimately rallied. In the meanwhile, the mob wreaked its fury on the negro, Brown, who had been handed over to it by his fellow prisoners when they faced the alternative of being burned alive. His body was riddled with bullets, partially burned, and dragged through the streets behind an automobile. Afterwards rioting continued, with threats against the negro population, until Federal troops under Gen. Leonard Wood took charge of the situation."

In Omaha, on the day after the lynching, "The World-Herald" said editorially:

"We have felt, however briefly, the fetid breath of anarchy on our cheeks. We have experienced the cold chill of fear which it arouses. We have seen as in a nightmare its awful possibility. We have learned how frail is the barrier which divides civilization from the primal jungle, and we have been given to see clearly what that barrier is. It is the law. It is the might of the law wisely and fearlessly administered. It is the respect for and obedience to the law on the part of the members of society. When these fail us, all things fail. When these are lost, all will be lost. Should the day ever come when the rule that was in Omaha Sunday night become the dominant rule, the grasses of the jungle would overspread our civilization, its wild denizens, human and brute, would make their foul feast on the ruins, and the God who rules over us would turn his face in horror from a world given over to bestiality. May the lesson of Sunday night sink deep!"

A riot is a riot and lawlessness is lawlessness whether it is by whites or Negroes. Then why does the Supreme Court encourage the Negro to *demonstrate*? Do they want some more lynchings? Do they think that violence will help to enforce their constitutional decision?

The Court's decision in the recent integration case stimulated the Negro to action. Events moved at a swift and accelerated pace. Demonstrations became more numerous and more violent. The Negro was on top. He had the sympathy of the news media. The newspapers refused to publish crime statistics about the Negro; it was too damaging to his image. When there was a crime committed and the suspect was a Negro, the newspapers

refused to reveal that fact. Television commentators refused to suit and slanted their comments to favor the Negro.

WILL THE POLICE BE DESTROYED

All too often we take our police departments for granted. They are the guardians of law and order. People probably don't think about it, but if the police department of a large city were to quit for even one day, it would result in anarchy, looting, and chaos. A police officer normally has a very hazardous job. Every time that he leaves home to go to his work he doesn't know whether he will come home alive. Why should he carry the additional burden of controlling Negroes? Apparently the only defense that the Negroes have is the communist accusation of "police brutality". Apparently the police are trying to either intimidate the police or to destroy their effectiveness. They are not supported by the news media. It has been quite obvious in reporting recent events that the news media is always careful to emphasize that the Negroes are making a counter-charge or "police brutality." After the rioting in the Harlem section of New York the same day occurred in the city of Rochester, New York. This was the day when two police officers attempted to make a simple arrest and the whole Negro community arose in rebellion. An unimportant arrest spontaneously brought to the surface the latent savagery that the Negro had inherited from the ancestors of the African jungle. It is becoming increasingly difficult to recruit new officers for the police department. Why should a new officer, at a small starting salary, be expected to assume, in addition to the normal hazards of his job, that of mob violence? The Supreme Court has sown the seeds and now we are reaping the whirlwind!

IV.

THE HOUSING PROBLEM. DOES THE NEGRO HAVE THE WHITE MAN ON THE RUN?

IN the past two years the Negro has seen fit to launch an adventure. During this period a New York Negro (C) man boasted that "We have the white man on the run and keep him running." This was about the time that the white man attempted to invade white residential neighborhoods. The white man justified in his fear of this invasion? Past experience tells the story. The Negro moves in and the white man moves out. There are many examples, but one will show the way. The Bedford Stuyvesant Section of Brooklyn was an area originally settled by the Dutch, where they built substantial houses surrounded by gardens. As the city grew the section was populated almost entirely by white people well into this century. In recent years there has been a rapid exodus of the whites. At the end of last year the population of 307,500 had 215,858 Negroes. This is almost as big a Negro settlement as Harlem. The results in population has produced some significant results. An article by the Associated Press states:

"'Cesspool of Filth'—As long ago as 1943 a grand jury termed Bedford-Stuyvesant 'a cesspool of filth and one of the worst areas in the state'. The jury called for more grace to the city'.

"The jury said it was the scene of lawlessness and crime of every description—murder, muggings and rape, and narcotics rackets, prostitution, gang war, armed robbery and bootlegging.

"Today it has one of the highest rates of crime and delinquency."

There have been other communities where the presence of Negroes made the white home owner apprehensive. The first Negro families have at times caused a drop in real estate prices. As Negro population increased many of these communities experienced a change in the crime rate. There were purse snatching, thievery, knifings, assaults, robberies, and so on up until the whites were gone and mostly Negroes left in the area. Negro complains is a ghetto. What is wrong with a ghetto?

a settlement of one ethnic group, in the past mostly to Jewish settlements. We still have ghettos, not only but other races and nationalities. They live in peace and with their own people. Their communities are clean. There are no rats in the walls and no garbage in the halls. Why of all the many segments of our population only the Jews are subjected to living with his own people?

V.

THE COURT AND THE RAPISTS

FROM January 3 to January 23, 1948, in Los Angeles, California, one Caryl Chessman went on a rampage of lawlessness which resulted in his arrest and conviction for numerous crimes. He was tried in the Superior Court of Los Angeles County, after which he appealed and his conviction was affirmed by the Supreme Court of California. Taken from this decision is a terse statement of the crimes:

"Defendant appeals from judgments of conviction of felonies, rendered pursuant to jury verdicts, and from an order denying his motion for new trial. For convenience of discussion the crimes are listed in chronological order and numbered. Each paragraph indicates a separate general criminal enterprise, in each of which one or more offenses were committed.

"January 3, 1948: (1) First degree robbery of McCough.

"January 13, 1948: (2) Grand theft of an automobile which was used in perpetrating subsequent crimes and in which defendant was fleeing when he was apprehended.

"January 18, 1948: (3) First degree robbery of Barnett.

"January 18, 1948: (4) First degree robbery of Ballev.

"January 19, 1948: (5) First degree robbery of Lea. (6) First degree robbery of Regina. (7) Kidnaping Regina for the purpose of robbery, with infliction of bodily harm; punishment fixed at death. (8) Violation of section 288a of the Penal Code, committed against Regina.

"January 20, 1948: (9) First degree robbery of Stone.

"January 22, 1948: (10) Attempted robbery of Hurlbut. (11) Kidnaping Mary for the purpose of robbery, with infliction of bodily harm; punishment fixed at death. (12) Attempted rape of Mary. (13) Violation of section 288a of the Penal Code committed against Mary.

"January 23, 1948: (14) First degree robbery of Waisler. (15) First degree robbery of Leshner. (16) Kidnaping Waisler for the purpose of robbery, with infliction of bodily harm; punishment fixed at life imprisonment without possibility of parole. (17) Kidnaping Leshner for the purpose of robbery.

"The jury further found that defendant was armed at the time of the commission of each of the crimes except that of grand theft, numbered (2) above; that he was armed at the time of his arrest; and that he had suffered two previous convictions of robbery and one of assault with a deadly weapon. Defendant was acquitted of one count of burglary. We have concluded that no prejudicial error is shown and that the judgments and order should be affirmed."

The crime listed as violation of Section 288a of the California Penal Code is sexual perversion. During the infliction of the assault on the two women Chessman subjected them to the most unspeakable sexual abuse. This abuse resulted in one woman being driven insane.

Chessman appealed from the California Supreme Court to the United States Supreme Court. His ground for appeal was that there were errors in the trial court's transcription of the testimony. Over 12 years elapsed from the time of Chessman's arrest until the day of his execution on May 2, 1960 in San Quentin Penitentiary. During most of this time his case was held in the United States Supreme Court by numerous stays of execution and many orders from the Court for reviews of the testimony by the California Courts. All of these orders were in response to Chessman's continuing, but unfounded, objections to the trial court's record. Here was a desperate man in the death cell trying to contradict not only the trial court, but all the other courts who had reviewed his case, and using the Supreme Court to play what amounted to a ridiculous game of delay.

What prompted the Court to delay this case so many years? First it shows the Supreme Court's incompetence. Second it shows the Court's lack of understanding of what the true function of an appellate court is. Third it shows the Court's unnatural sympathy for even a most reprehensible criminal and the lengths to which they would go to save him. It is an old truism that justice delayed is justice denied. It is hardly worth while to waste any sympathy on Chessman as his crimes were worse than murder. What we should be concerned about is the conduct of a Court, especially the highest Court in the land.

Any person charged with a criminal offense is entitled to have his case decided within a reasonable time. It certainly reflects on the competence of any court that does not do its duty with intelligence and dispatch. This case had a most ominous side

effect in the form of torture that Chessman was subjected to. He was held in the death cell all those years not knowing each day the warden would call him to the gas chamber. This was a form of slow torture, probably more prolonged in this case than most any other tribunal, ancient or modern, savage or civilized. The Court's callous indifference to this result of their actions is most revealing. In other times torture has been inflicted as the Colonial day stocks where the defendant was confined in public view. However, even in these crude times the torture lasted at the most a day or two. Cardinal Mindszenty was subjected to a prolonged torture by the Communists in Hungary. Here he was relieved by the fact that he was under the influence of drugs most of the time and apparently, during that period, was unconscious. In recent times the Chinese Communists have conducted trials wherein they incited a howling mob to a frenzy of violence for the hapless defendant whose only crime was that he was believed to be the owner of a small piece of real estate. Even in these cases the victims suffering did not last long because it was only a matter of hours before he was put out of his misery.

THE WASHINGTON, D.C. CASE

On the 24th of June, 1957 the United States Supreme Court decided the case of Mallory vs. United States, reported in volume 354, United States Reports at Page 1357. The defendant was convicted of rape in the United States District Court of the District of Columbia and, as authorized by the District Court, the jury imposed a death sentence.

"The rape occurred at six p.m. on April 7, 1954 in the basement of the apartment house inhabited by the victim. She had descended to the basement a few minutes previous to wash some laundry. Experiencing some difficulty in pulling a hose in the sink, she sought help from the janitor who lived in a basement apartment with his wife, two sons, a younger son and the petitioner, his nineteen-year-old half-brother. Petitioner was alone in the apartment at that time. He detached the hose and returned to his quarters. Shortly thereafter, a masked man, whose general appearance was identified to resemble those of petitioner and his grown nephews, attacked the woman. She had heard him descend the wooden steps that furnished the only means of entering the basement from above.

"Petitioner and one of his grown nephews disappeared from the apartment house shortly after the crime was committed. The former was apprehended the following afternoon between two and two-thirty p.m. and was taken, along with his older nephews, also suspects, to police headquarters. At least four officers questioned him there in the presence of other officers for thirty to forty-five minutes, beginning the examination by telling him, according to his testimony, that his brother had said that he was the assailant. Petitioner strenuously denied his guilt. He spent the rest of the afternoon at headquarters, in the company of the other two suspects and his brother a good part of the time. About four p.m. the three suspects were asked to submit to 'lie detector' tests, and they agreed. The officer in charge of the polygraph machine was not located for almost two hours, during which time the suspects received food and drink. The nephews were then examined first. Questioning of petitioner began just after eight p.m. Only he and the polygraph operator were present in a small room, the door to which was closed.

"Following almost an hour and one-half of steady interrogation, he 'first stated that he could have done this crime, or that he might have done it. He finally stated that he was responsible.*****' (Testimony of polygraph operator, R.70.) Not until ten p.m. after petitioner had repeated his confession to other officers, did the police attempt to reach a United States Commissioner for the purpose of arraignment. Failing in this, they obtained petitioner's consent to examination by the deputy coroner, who noted no indicia of physical or psychological coercion. Petitioner was then confronted by the complaining witness and "practically every man in the Sex Squad", and in response to questioning by three officers, he repeated the confession. Between eleven-thirty p.m. and twelve-thirty a.m. he dictated the confession to a typist. The next morning he was brought before a Commissioner."

The Court reversed this conviction upon the ground that the defendant, after his arrest, was not immediately taken before a Commissioner for his arraignment. It is to be pointed out that on the day of the defendant's arrest the police had three or four suspects, including Mallory, and that they did not know who the proper defendant was until midnight. It would be most unreasonable and the police would be properly subjected to critic-

ism if they had filed a charge against the defendant on the basis of substantial evidence as to his guilt which, in this case, was his confession. We can only guess as to what motives were in reversing this case, but it is clear that they wanted to reverse the case because of the defendant's confession. In other words, the Court did not impose the death penalty for rape and they wanted to free the defendant. It will be noted that the opinion states that the defendant was just "a young man" where in the opinion is there any concern for the victim of this criminal. Apparently she was a woman who had been raped and, after all, the defendant was a "young lad". The prosecutor having had the defendant's confession was unable to prosecute the case against the defendant by its decision, had effectively closed the case against prosecution and the defendant was freed.

In May, 1960, in the city of Philadelphia, a defendant was arrested and charged with rape, battery, and burglary. The facts, briefly, are: The defendant lived in a home in Philadelphia where he ostensibly was a housewife. While there he went into each of three bedrooms, one on each floor and ransacked these rooms for the defendant's children. While doing so, the housewife returned to the room and told the children that there was a man upstairs. She then called the police to investigate and the defendant grabbed her, after which he left the house before the police arrived. He was apprehended shortly the same day.

The jury convicted him of burglary and found him guilty of assault and battery upon the rape victim. On this conviction he was sentenced from 18 months to 3 years in prison.

This is an example of the Court's arrogation of the function of the legislature in the substitution of their own judgment as to what the law should be so that we must ask the question: Is the Court's judgment in the first case the indication that a man in Philadelphia being assaulted?

This is another example of the Court's usurpation of legislative functions where they have no business doing so. It is an example of their almost paranoiac concern for the convicted criminal. The legislature and the

the authority to fix the penalties for all crimes, including rape. The only theory by which the Court could interfere would be on the ground that the penalty was a "cruel and unusual punishment" under the eighth amendment of the Constitution. In the case of rape, how about the victim? How many women have been driven insane? How many women have committed suicide? Who, indeed, received the "cruel and unusual punishment"?

In a recent magazine article (True Detective) Mr. Stan Redding, a student of and a writer on the subject, had this to say:

"Advertently or inadvertently, three United States Supreme Court Justices have raised that question by suggesting that executing a man for rape might be in violation of the 8th and 14th amendments to the Constitution.

"Justice Arthur J. Goldberg—joined by Justices William O. Douglas and William J. Brennan, Jr., raised the potentially far-reaching idea in a dissent from the high court's refusal to review two death penalties imposed in separate rape convictions.

"Justice Goldberg wrote that the court should decide whether the Constitution permits the 'imposition of the death penalty on a convicted rapist who has neither taken nor endangered human life'.

"In light of the trend 'both in this country and throughout the world against punishing rape by death', asked Justice Goldberg, does execution for rape violate 'the standards of decency more or less universally accepted'?

"Justice Goldberg said the court should consider whether the 'taking of human life to protect a value other than human life . . . (is punishment)' of a severity disproportioned to the offense charged'.

"Justice Goldberg raised the question of whether the sentence might be cruel because the 'permissible aims of punishment', such as deterrence, isolation and rehabilitation, 'can be achieved as effectively by punishing rape less severely.'

"In certain quarters of American public opinion such reasoning is sure to be regarded as lofty and detached to a startling degree, the sort of reasoning which emanates from an ivory tower that shields the thinker from intimate contact with flesh-and-blood casualties of human predators on defenseless women. On the subject of values, it may legitimately

be asked, What about the human values affected in the act of rape? And Justice Goldberg's concern for 'standards of decency' seems to center on the punishment for the rapist, rather than on his victim.

"How does one measure the depth of shock, terror and sense of degradation experienced by a girl or woman who has been sexually assaulted? Who can gauge the extent of the shock waves which spread outward from such a crime to affect not only the victim, but her husband, her children, relatives, neighbors and even strangers who recognize her as 'that woman who was raped'?

"If her attacker is executed, his punishment is final. If he is given a prison term, the limits of his punishment are defined. But there is no time on the horrible, haunting memories of a woman raped."

"Understandably, most men under sentence of death are against capital punishment. But not all.

"One of the eight men executed for rape last year was Charles L. Forgey, 23, who died for the savage rape of a young Dallas housewife. The writer interviewed Forgey before his sentencing.

"'A man knows what he's done,' Forgey told me. 'She did not know me, and I did not know her. I acted under the same compulsion that makes men rob, kill and steal, but my crime was worse in many ways.

"'That woman had the worst experience of her life that day. She'll live with it a long time, I'm sure. Now I'm having the worst experience of mine—but it will be over in a few seconds.'

Forgey paused a few seconds, and then affirmed what proponents of death for rape have contended all along: 'Men like me deserve to die!'

THE COURT'S ATTITUDE ON LAW ENFORCEMENT

ONE of the disturbing trends of our time is the increase in the crime rate. A report from the Bureau of Investigation as of July, 1964, shows that the crime rate in the last five years is up 40% in face of the fact that the population has only increased 8%, and this is particularly true in the inner city areas. J. Edgar Hoover, Director of the FBI, in his report on crime in 1963 states "More impassioned and more violent attacks are being made today on behalf of the offender than ever before. The victim is ignored and the right of equal protection under the law is being increasingly concerned about the Court's attitude. Criminals are sick people rather than criminals and are treated with leniency. The Court's continual interference with law enforcement has restricted the police so much that they are fighting harder and harder for them to function. This situation particularly alarms law enforcement officials and has led to attacks on police officers. In 1963 there were 1,000 attacks on policemen and 55 police officers were murdered. In the good residential areas of large cities citizens feel unsafe in their neighborhood streets after dark. Even the city of Washington, D.C., which is now over one-half Negro, is rapidly becoming a Negro slum and it is dangerous to walk the streets at night. In the U. S. Supreme Court building in Washington it has become necessary to supply guards for its employees. When they leave the Court Building to walk to their homes, a woman employee of the Court calls a taxicab to take her home for it outside the building, but must have the guard accompany her to the cab. The public parks in some large cities are mostly deserted and the citizens almost never go out at night for fear of being assaulted.

In recent years and since most of the present Justices came in office the Court has continuously and progressively more interfered with law enforcement agencies and prosecutors. Their passion for protecting the criminal and indifference to law and order has reached alarm proportions so much so that they are endangering the public safety. The theory is what has become known as "Due Process" and the position the Court has taken from the XIV Amendment.

tution. This Amendment they have used, or rather abused, to justify some of their wildest ideas. These cases come under the heading of "Search and Seizure" decisions. There have been many cases where they have interfered with the administration of justice, but two fairly recent cases point up their conduct.

The case of Chapman vs. United States, decided April 3, 1961, from Volume 365 U. S. Reports, 610, originated in the State of Georgia.

"The relevant evidence is not controverted. It shows the following: One Bridgaman, and another, owned a dwelling house in a wooded area near the Macon, Georgia, airport, which they commonly rented through a rental agency. Understanding that the house had been rented to a new tenant, Bridgaman, on Sunday, February 16, 1958, went to the house for the purpose of inviting the tenant to attend church. Upon arrival he noted a strong "odor of mash" about the house. There was no response to his knock, and, although he tried to do so, he was unable to see into the house. He then returned to his home and, by telephone, advised the local police department of his observations. Soon afterward two local police officers, Harbin and Chance, arrived at Bridgaman's home, and the three then went to the rented house. They noticed a strong odor of "whiskey mash" coming from the house. After their knock at the door failed to produce a response, they walked around the house and tried to look into it but were unable to do so because the shades were down. They found that all of the windows were locked, save one in the bathroom. The officers testified that Bridgaman told them "to go in the window and see what('s) what in there." Bridgaman's version of what he said was: "If it's what I think it is, what it smells like, yes, you can have my permission to go in." Thereupon they opened the bathroom window and, with the assistance of Bridgaman and Chance, Harbin entered the house through that opening. Upon entering the house he saw a complete and sizeable distillery and 1,300 gallons of mash located in the living room. Apart from some accessories, containers and firewood, there was nothing else in the house. Harbin then called to Chance that he had found a large still and asked him "to go get some help". Chance immediately left—dropping Bridgaman at his home—to call the federal officers. While the federal officers were en route to the house, peti-

tioner drove up, unlocked the front door, entered the house and was immediately arrested by Harbin. The federal officers soon arrived and took custody of petitioner. They also took samples of the mash, took various pictures of the still, and then destroyed the still and its contents. Neither the State nor the federal officers had any warrant of any kind."

From these facts the defendant was convicted of the operation of a distillery by the United States District Court for the Middle District of Georgia. The Court reversed the conviction on the ground that the arresting officers did not have the defendant's permission to enter the premises where the distillery was in operation and, therefore, there was an unreasonable search and seizure. To point up how nonsensical this decision is, I quote from the dissenting opinion of Justice Clark:

"As I read the record, Bridgaman had rented a house to Chapman. On a Sunday morning he called at the house to invite Chapman to church services. However, Bridgaman found Chapman gone, the house locked up and a strong "odor of whiskey mash" all over the place, including the empty cellar. He reported these facts to state officers. At his suggestion, two officers accompanied him to the house. They too smelled, as the Court says, "a strong 'whiskey mash' coming from the house."

"Under Georgia law, the use of premises for the manufacture or the keeping of liquor for disposition without the forfeiture of the rights of any lessee or tenant under a lease or contract for rent***". Bridgaman advised the officers that he was the owner of the house, had it leased out, and "instructed" officer Harbin to enter it and "see what was in there." The officers found a bathroom window open. Bridgaman "told" the officers "to go in the window." Harbin assisted in "boosting" officer Harbin into the window. Inside the house, the officer found a still in operation and 1,300 gallons of whiskey mash in the living room. There was neither household furniture nor other evidence of residential occupancy.

"The Court sets aside Chapman's conviction on the ground that this search without a warrant was "unreasonable." In the life of me I cannot see why this is true. I agree with the unanimous Court of Appeals that "under the circumstances the search here made by the State officers, no illegality is shown."

Another case is that of *Stoner vs. State of California*. Recorded in 84 Supreme Court Recorder, Page 889. The facts from the decision are:

"The essential facts are not in dispute. On the night of October 25, 1960, the Budget Town Food Market in Monrovia, California, was robbed by two men, one of whom was described by eyewitnesses as carrying a gun and wearing horn-rimmed glasses and a gray jacket. Soon after the robbery a checkbook belonging to the petitioner was found in an adjacent parking lot was turned over to the police. Two of the stubs in the checkbook indicated that checks had been drawn to the order of the Mayfair Hotel in Pomona, California. Pursuing this lead, the officers learned from the Police Department of Pomona that the petitioner had a previous criminal record, and they obtained from the Pomona police a photograph of the petitioner. They showed the photograph to the eyewitnesses to the robbery, who both stated that the picture looked like the man who had carried the gun. On the basis of this information the officers went to the Mayfair Hotel in Pomona at about 10 o'clock on the night of October 27. They had neither search nor arrest warrants. There then transpired the following events, as later recounted by one of the officers:

" 'We approached the desk, the night clerk, and asked him if there was a party by the name of Joey L. Stoner living at the hotel. He checked his records and stated 'Yes, there is'. And we asked him what room he was in. He stated he was in Room 404 but he was out at this time.

" 'We asked him how he knew that he was out. He stated that the hotel regulations required that the key to the room would be placed in the mail box, that he therefore knew he was out of the room.

" 'We asked him if he would give us permission to enter the room, explaining our reasons for this.

" 'Q. What reasons did you explain to the clerk?

" 'A. We explained that we were there to make an arrest of a man who had possibly committed a robbery in the City of Monrovia, and that we were concerned about the fact that he had a weapon. He stated 'In this case, I will be more than happy to give you permission and I will take you directly to the room.'

" 'Q. Is that what the clerk told you?

" 'A. Yes, sir.

" 'Q. What else happened?

" 'A. We left one detective in the lobby, Officer Collins, and myself, along with the night clerk, got on the elevator and proceeded to the fourth floor. We went to Room 404. The night clerk placed the key in the door and unlocked the door."

"The officers entered and made a thorough search of the room and its contents. They found a pair of horn-rimmed glasses and a gray jacket in the room, an automatic pistol with a clip and several cartridges in a bureau drawer. The petitioner was arrested in Las Vegas, Nevada. He waived extradition and was brought to California for trial on the charge of robbery with a gun, the cartridges and clip, the horn-rimmed glasses and gray jacket were all used as evidence against him."

The Court reversed this conviction for the ground that the arresting officers did not have the defendant's permission to enter his hotel room, that the search was not a reasonable search and seizure. What ridiculous ground! The true function of a Court is to do justice, to determine the truth respecting the facts of the crime to determine the innocence of a person charged with a crime. Should law enforcement agencies be subjected to this kind of nonsense?

This new and unreasonable rule by the Court in *Stoner* resulted in two police officers being arrested for conducting an investigation. Recently the Court in *Angelo* in commenting on their difficulties

"The increasing restrictions upon police officers' effectiveness are coming from the courts. The courts are making mistakes in an avowed effort to administer the law. These restrictions have given aid and comfort to the criminal element and have resulted in a deterioration of internal security. The untimely and violent actions of police officers recently while questioning forgers are in point. Formerly, these officers would have been told what evidence might be in possession of a person at the time of contact. Since the courts have

opinion Justice Black went into a long historical recitation about religious liberty and particularly what happened in England in 1548 and 1549, some 400 years ago. Justice Stewart dissented to this opinion in which he stated that he could not see what bearing there could be on the question by reciting something that happened so long ago; in pointing out that England has always had an established religion, stating:

"What is relevant to the issue here is not the history of an established church in sixteenth century England or in eighteenth century England or in eighteenth century America, but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our government.

"At the opening of each day's Session of this Court we stand, while one of our officials invokes the protection of God. Since the days of John Marshall our Crier has said, 'God save the United States and this Honorable Court.' Both the Senate and the House of Representatives open their daily Sessions with prayer. Each of our Presidents, from George Washington to John F. Kennedy, has upon assuming his Office asked the protection and help of God."

This is not *establishing* a religion by any stretch of the imagination. When a Parliament or a Congress establishes a religion it builds and owns the churches, it employs and pays the clergy and it discourages, prevents and outlaws all other religions. Even a seven or eight year old school child could understand the distinction here, but apparently it is beyond the ken of our Supreme Court.

This was an innocuous prayer, non-sectarian and non-denominational. Out of 190 million people in this country who could object? Not even the agnostics, who are a very small percentage of the population. This leaves, of course, the atheists, who are so small in number that they are not even a percentage, but just a handful. Is not this carrying the *protection of a minority* to the point where it is ridiculous? This prayer could hardly interfere with any one's religious or lack of religious beliefs. We still have freedom of expression in this country; even in public parks we have people freely carrying on discussions and making speeches about religion and any other number of subjects. Some of these speeches are logical and reasonable, some are humorous and some foolish and nonsensical, but the freedom of speech is still

there. Why does the Court seek to just to satisfy the desires of a small desires and wishes of the great m What prompted this mischievous want to make a show of power? Dr Communist slave states that they ag Marx that "Religion is the opiate other hand, did they just want to show their contempt for our Chris forgotten that human nature has ne That man has conquered everything along with himself? Have they for tory religion has been a stabilizing easy to criticize religion, whether it belief. What would they put in its atheistic Communism that holds th in a machine; that he is just anothe no spiritual, moral or inspirational

THE REAPPORTIONMENT CASE

A LAWLESS GRAB FOR POWER

THE year 1963 saw a new and bold assault on the Constitution. Any school boy who has had his first civics lesson is aware of our fundamental function in government: power is divided between the legislative, executive and judicial branches, each limited to its rightful sphere of authority and responsibility.

The Constitution provides that each House of Congress shall be the *sole* judge of the qualifications of its members. Article I (Section 5) paragraph 1. states:

"Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a majority of each may adjourn from day to day, and may compel the attendance of absent members, in person or by proxy, and under such penalties as each House may determine."

This provision of the Constitution has stood unchallenged until the year 1963. From time to time dissenting voice seekers have complained that the legislature had unfairly created congressional districts unequal in population and the Supreme Court has always refused to hear such controversies are beyond the Court's jurisdiction. The last such case before 1963 was *Colegrove* decided June 10, 1946. The complaint of Colegrove, joining with him as to complaint asked for a declaration that Illinois statutes apportioning the State of Illinois into congressional districts invalid in that such districts lacked compactness of territory and approximate equality of population. The case came before the District Court of the Northern District of Illinois which Court dismissed the complaint upon the ground that the Court had no jurisdiction to decide the dispute. The case afterwards came to the Supreme Court on appeal. The Supreme Court affirmed the judgment of the District Court. The opinion being written by Justice Frankfurter and joined in by Justices Reed and Burton. We quote from the dissentant language of the opinion.

"We are of opinion that the petitioners ask for relief which is what is beyond its competence to grant. This

demands on judicial power which cannot be met by verbal fencing about 'jurisdiction'. It must be resolved by considerations on the basis of which this Court, from time to time, has refused to intervene in controversies. It has refused to do so because due regard for the effective working of our Government revealed this issue to be of a peculiarly political nature and therefore not meet for judicial determination."

It is to be noted that there was a dissent to this decision by Justices Black, Douglas and Murphy, who wanted to take the unconstitutional position that the Court could interfere with the lawful functions of the Illinois Legislature. Justices Black and Douglas were the old hard-core liberals. Murphy, a politician of extreme liberal tendencies, was appointed by President Franklin Roosevelt during the court packing era. Murphy was practically devoid of any legal or judicial training or experience. It also should be remembered that in 1937 Murphy, as governor of Michigan, permitted the disgraceful anarchy of the Communist led sit down strikes in the automobile plants of Michigan. Between 1946 and 1963 the membership of the Court changed. The hard-core extremists, Justices Black and Douglas, are now joined by Chief Justice Warren and Justices Brennan and Goldberg, who were very like minded. The five now constituted a majority of the Court. They were then in a position to ignore the Constitution and to nullify the authority and functions of Congress and the State Legislatures. Their opportunity came in the case of *Gray vs. Sanders*, a reapportionment suit from the state of Georgia. The plaintiff sought, as in the *Colegrove* case, to force the Georgia Legislature to change their law as to the counting of votes in the various districts of that state. Georgia had what is known as the County Unit System. Under this system some rural, thinly populated counties, had more voting power proportionately than more populous counties. The Court, in its decision, ordered the Legislature to abolish the system and divide the state into districts of equal population on a theory that has become known as the "One Person—One Vote" idea. Justice Harlan, in a dissenting opinion, held to the rule long established and so clearly stated in the *Colegrove* case, with the added reasoning:

"To assume that political power is a function exclusively of numbers is to disregard the practicalities of government. Thus, the Constitution protects the interests of the smaller

against the greater by giving in the representation to populations. It is not only a doctrinaire, for this Court, applying constitutional concepts as due process and equal laws, to deny a State the power to a political initiative as between its citizens and those having concentrated mass. The latter have practical opportunities of political weight at the polls not available to the former—a practical instrument of representation—such demands on the States."

At least some 30 states are now in Georgia, in that their congressional districts are based on population and this applies to the House of Representatives. According to this decision, these members are now holding the extremist five constitute a majority of the Court. They do to implement their decision what they did in the case of *Brown v. Board of Education*. They order these members off of the floor of the House. What will the offending Congressmen do? Will they meekly submit and resign? Will they defy the order and then wait for the Army in to enforce the Court's order? Will they leave the House chamber? You say this would be a disaster. You have thought a few years ago that the insatiable lust for power would have led to a judicial despotism. In order to set up a judicial despotism it is important to recall the dissent of Justice Frankfurter on the Court's power to review reapportionment statutes. First, who is to review? He was appointed to the Court in 1939 by President Franklin Roosevelt. This appointment, also, was during the court packing era. At this time Frankfurter was a professor at Harvard Law School and had been for a long time. He was a liberal and even radical theories. Many of his students went on to employment with the Government in Washington. Several turned out on the radical side. Among these students was the infamous Alger Hiss, a convicted perjurer. Frankfurter was a champion of the cause in his first trial. Another incident to show

mind. When the atom spies, Julius and Ethel Rosenberg were sentenced to death they appealed to the Court for a stay of execution several times. Each time their petition was denied by a majority of the Court and they were finally executed. At the last denial of their petition Justice Frankfurter joined in dissenting together with Justices Black and Douglas.

With this background on Justice Frankfurter we come to consider the apportionment case of *Baker vs. Carr*, decided March 26, 1962. This was a case arising from the State of Tennessee. Plaintiff asked the Court to reapportion the districts of the members of the Legislature in that state. This was a matter of purely state concern, having nothing to do with Congress. The lower Courts had refused to entertain the complaint on the ground that the United States Court had no jurisdiction to interfere with the method of arranging districts in a State Legislature any more than they had the right to interfere in the fixing of Congressional Districts. Majority of the Court in a long, rambling opinion decided three things:

1. That the United States Courts possess jurisdiction on the subject matter.
2. That the complaint presented a justiciable controversy.
3. That the appellants had standing in Court.

In other words, that the Federal Courts have a right to interfere in something that is purely a concern of the states. Justice Frankfurter wrote a dissenting opinion and was joined by Justice Harlan. It is of the utmost importance to quote at length from this dissenting opinion.

"The Court today reverses a uniform course of decision established by a dozen cases, including one by which the very claim now sustained was unanimously rejected only five years ago. The impressive body of rulings thus cast aside reflected the equally uniform course of our political history regarding the relationship between population and legislative representation—a wholly different matter from denial of the franchise to individuals because of race, color, religion or sex. Such a massive repudiation of the experience of our whole past in asserting destructively novel judicial power demands a detailed analysis of the role of this Court in our constitutional scheme. Disregard of inherent limits in the effective exercise of the Court's 'judicial Power' not only presages the

futility of judicial intervention in the essential conflict of forces by which the relation between representation has time out of mind been determined. It may well impair the Court's position as organ of 'the supreme Law of the Land' in the legal problems, often strongly entangled in politics, on which this Court must pronounce. The Court—possessed of neither the purse nor the sword—rests on sustained public confidence in its impartiality. Such feeling must be nourished by the Court's detachment, in fact and in appearance, from political movements and by abstention from injecting itself into the fray of political forces in political settlements.

"A hypothetical claim resting on abstract considerations now for the first time made the basis for affording relief for a particular evil even though it forebodes more and more pervasive difficulties in consequence. Hypothetical and the assumptions are abstract. The Court does not vouchsafe the lower courts—state and federal—guidelines for formulating specific, definite, workable remedies for the inevitable litigations that a brazen disposition is bound to stimulate in the face of politically motivated reapportionments in such a setting, to promulgate jurisdiction in a meaningless. It is as devoid of reality as 'a brocade in the sky,' for it conveys no intimation of what, if any, a District Court is capable of affording. It invites legislatures to play ducks and drakes with the law. For this Court to direct the District Court to do what to which the Court has over the years consistently refused to require to deny legal enforcement and at the same time find it necessary to withhold any guidance to the lower courts how to enforce this turnabout, new legal claim is an odd—indeed an esoteric—conception of judicial power.

" . . . To charge courts with the task of solving the incommensurable factors of policy that are the mathematical puzzles is to attribute, however generously, omniscience to judges. The Framers of the Constitution persistently rejected a proposal that embodied the very thing and Thomas Jefferson never entertained it.

" . . . In effect, today's decision empowers the

country to devise what should constitute the proper composition of the legislatures of the fifty States.

" . . . The Framers carefully and with deliberate forethought refused so to enthrone the judiciary. In this situation, as in others of like nature, appeal for relief does not belong here. Appeal must be to an informed, civically militant electorate. In a democratic society like ours, relief must come through an aroused popular conscience that sears the conscience of the people's representatives. In any event there is nothing judicially more unseemly nor more self-defeating than for this Court to make *in terrorem* pronouncements, to indulge in merely empty rhetoric, sounding a word of promise to the ear, sure to be disappointing to the hope."

It will be noted at the outset of his opinion Justice Frankfurter stated "SUCH A MASSIVE REPUDIATION OF THE EXPERIENCE OF OUR WHOLE PAST IN ASSERTING DESTRUCTIVELY NOVEL JUDICIAL POWER." Even Justice Frankfurter looked on with dismay and perhaps horror when he saw the Court deliberately destroying the Constitution.

CONCLUSION

THE Court has effectively destroyed and rendered it useless. The United States is now ruled by fanatical five Justices, who constitute a dictatorship by edict without regard to law, reason, the common morals and decency. The Court is the constant protector of the Communist cause and is completely intimidated! The news media, the press, supports their tyranny. The legal profession, with few exceptions, have failed the people by their inaction. What is going on. Was their education and reason by some Communist leaning law professor? By the Court's power they have deliberately created an outside ally. This ally is the lawless Negro Communist Five imagine that they are Nicolai Lenin and his Bolsheviks to storm Petrograd in the future. What is the purpose of the Court in encouraging Negro demonstrations? Is it to create a state of chaos as a prelude to a Communist takeover? What is the remedy for this tragic situation? Is there some public discussion about amending the Constitution? Is nothing wrong with the Constitution? The fault lies with the Court and must be corrected by Congress whose timid and craven surrender of its authority and functions will be the death of the Republic. How can this judicial despotism be ended? How can the Constitution be restored?

The remedy is provided in the Constitution. The remedy is impeachment!

The Constitution wisely left the ultimate remedy to the people. The time has come for the people to elect a new Congress to restore the liberties that the Founding Fathers intended.

UNITED STATES

DEPARTMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. A. Rosen

DATE: December 30, 1964

FROM : G. H. Scatterday

1-Mr. Rosen
1-Name Check
1-[REDACTED]

SUBJECT: [REDACTED]
SUPREME COURT NAME CHECK REQUEST

On December 28, 1964, a name check request was received from [REDACTED] Marshal, U. S. Supreme Court, on [REDACTED], born [REDACTED]. The Form 57 submitted indicates that this individual is applying for a position as police officer.

A check of Bureau files reveals no identifiable derogatory information concerning [REDACTED].

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [REDACTED] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

70 JAN 11 1965

21 JAN 6 1965

NAME [REDACTED]

UNITED STATES GOVERNMENT

Memorandum

TO: *[Signature]* The Director

FROM: *[Signature]* N. P. Callahan

DATE: *March 2, 1965*

SUBJECT: The Congressional Record

Page 9677. Senator Byrd, (D) Virginia, spoke concerning an address delivered before the New York Bar Association by Lewis F. Powell, Jr. of Richmond, Virginia, president of the American Bar Association. Mr. Byrd advised that the Richmond Times Dispatch, in its edition of February 10, 1965, editorialized on the address. He included the editorial, entitled "A Lawyer Rebukes the Court," with his remarks. The editorial pointed out that Powell, in his address, "issued a warning recently that some Supreme Court's decisions in criminal cases have tipped the scales of justice too far in favor of the criminal—at the expense of public safety." It quoted Mr. Powell as follows: "Crimes of violence continue to increase. The single most shocking statistic, documented in FBI reports, is that since 1958 crime has been increasing five times faster than the population growth."

Original filed in: 66-17781-9147

62-21585-
NOT RECORDED
47 MAR 16 1965

In the original of a memorandum captioned and dated as above, the Congressional Record for *March 1, 1965* was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that *564* copy of the original memorandum may be clipped, mounted, and placed in appropriate *565* or subject matter files.

Mr. W. C. Sullivan

June 29, 1965

b6
b7c
D. J. Brennan, Jr.

[REDACTED]
MISCELLANEOUS - NONSUBVERSIVE

b6
b7c
On 6/28/65, [REDACTED], Marshal, United States Supreme Court, furnished Liaison the two attached telegrams which were recently sent to Chief Justice Earl Warren by subject. The contents are rambling, incoherent and make no sense whatever.

The Chief Justice asked that Bufiles be checked for any indication that the subject is a mental case.

In April of this year, two similar telegrams were sent by the subject to the Director. They were completely incoherent and no acknowledgement was made. Otherwise, our files contain no information concerning the subject.

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

b6
b7c
RECOMMENDATION:

If approved, Marshal [REDACTED] will be advised that our files do not contain any information indicating the subject is a mental case.

[REDACTED] b7c
(6) b6

63-10312

Enc. 2

- 1 - Mr. Belmont
1 - Mr. Sullivan
1 - Liaison
1 - [REDACTED] b6
1 - [REDACTED] b7c
① - 62-27585

62-27585-
NOT RECORDED
128 JUL 2 1965

58 JUL 14 1965

ORIGINAL FILED IN 63-10312

~~JUL 23 1965~~

WESTERN UNION

EW 10-

Handwritten signature and initials.

J EDGAR HOOVER

l

WASH

PERHAPS THE OPPORTUNITY TO SAY A KIND AND ^{VERY} FAVORABLE WORD MIGHT
DEVELOP RESPECTFULLY

STATE OF WASHINGTON

62-2758

6 JUL 29 1965

MR. LLOYD FOR THE DIRECTOR

XEROX

6 1965

REC 33

55
PEERS BERGENT

July 27, 1965

REC 33 62-27585-205

JUL 27 10 29 AM '65
FBI
REC'D-READING ROOM

The Supreme Court
State of Washington
Temple of Justice
Olympia, Washington 98502

Dear [REDACTED]

Your telegram of July 23rd has been received, and it was indeed thoughtful of you to send me your observations concerning Washington Supreme Court Judge Finley.

Sincerely yours,
J. Edgar Hoover

MAILED 11
JUL 27 1965
COMM-FBI

Seattle - Enclosure

NOTE: [REDACTED] is a retired Special Agent who is on the Special Correspondents' List. [REDACTED] was written 5/4/61.

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JUL 29 1965

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 8/11/65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page 18197. Senator Thurmond, (R) South Carolina, spoke concerning an article entitled "Man Seized Attacking Waitress" from the Evening Star of August 9, 1965, on a man arrested for the fourth time this year on a charge of rape in the District of Columbia, who had been released on all

previous charges. Mr. Thurmond stated J. Edgar Hoover, the president of the American Bar Association, and countless others who are learned in the law and who are recognized authorities in the field of law enforcement have warned time and again against decisions by the U. S. Supreme Court which have served to effectively tie the hands of our police officers in trying to bring criminals to justice and protect the public against the ever-increasing crime rate in this country. The text of the article was placed in the Record.

Original filed in:

REC-49
EX-101162-27515-206
NEW
191 AUG 11 1965
ED

In the original of a memorandum captioned and dated as above, the Congressional Record for 8/10/65 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

70 AUG 30 1965